

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
OF THE
STATE OF ALABAMA,
SESSION OF 1876-7,
HELD IN THE
CITY OF MONTGOMERY,
COMMENCING NOVEMBER 14, 1876.

WITH AN INDEX,
PREPARED BY THE CLERK OF THE HOUSE.

MONTGOMERY, ALA. :
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JOURNAL.

MONTGOMERY, ALABAMA, }
TUESDAY, November 14, 1876. }

This being the day fixed by law for the meeting of the General Assembly of Alabama, the members elected to the House of Representatives assembled in the hall of the House, at the Capitol, in the city of Montgomery, at the hour of 12 M.

On motion of Mr. John M. McKleroy, of Barbour, the Hon. Edward C. Betts was elected temporary Speaker and Mr. Ellis Phelan temporary Clerk.

ENROLLMENT.

Upon the call of the counties, the members elect came forward, presented their certificates of election, duly signed by the Secretary of State, and enrolled their names as follows :

Autauga County.

S. S. BOOTH.

Baldwin County.

W. H. H. McDAVID.

Barbour County

JNO. M. MCKLEROY, JNO. E. CREWS.

Bibb County.

J. S. HANSBURGER.

Blount County.

WM. N. CRUMP.

Bullock County.

G. CALDWELL.

G. D. RODGERS.

Butler County.

C. WALL.

JOHN GILCHRIST.

Calhoun County.

E. H. ALLEN.

Chambers County.

WM. C. DARDEN.

W. H. DENSON.

Cherokee County.

B. P. WHITE.

Chilton County.

JOHN W. FOSHEE.

Choctaw County.

A. J. GRAY.

Clarke County.

SAMUEL FORWOOD.

Clay County.

L. A. GIBSON.

Cleburne County.

A. M. DENMAN.

Coffee County.

B. M. STEVENS.

Colbert County.

S. J. HARRINGTON.

Conecuh County.

A. J. ROBINSON.

Coosa County.

J. B. KELLY.

Covington County.

J. D. HUDSON.

Crenshaw County.

CROWELL BRODNAX.

Dale County.

S. J. DOSTER.

Dallas County.

WM. J. STEVENS. W. H. BLEVINS. GREEN J. JOHNSTON.

De Kalb County.

F. M. BAXTER.

Elmore County.

R. T. WELCH.

Escambia County.

W. Y. TITCOMB.

Etowah County.

L. W. DEAN.

Fayette County.

J. C. KIRKLAND.

Franklin County.

W. W. WEATHERFORD.

Geneva County.

JAMES N. McDUFFIE.

Greene County.

WM. E. COCKRELL.

NIMROD-SNODDY.

Hale County.

JAMES M. HOBSON.

Henry County.

THOMAS F. ESPY.

Jackson County.

WM. MCFARLANE.

SAMUEL BUTLER.

Jefferson County.

JOHN J. JOLLY.

I. W. McADORY.

Lauderdale County.

J. M. CUNNINGHAM.

Lawrence County.

W. B. McDONALD.

J. B. SPEAKE.

Lee County.

L. BOOKER.

THOMAS L. KENNEDY.

Limestone County.

GAINES C. SMITH.

B. M. TOWNSEND.

Lowndes County.

BEN. DE LEMOS.

R. J. MAYBERRY.

Macon County.

L. C. RAMSEY.

E. S. McWHORTER.

Madison County.

EDW. C. BETTS.

GEO. C. SAUNDERS.

A. S. FLETCHER.

Marengo County.

J. H. GEORGE.

D. M. PROWELL.

Marion County.

W. T. BISHOP.

Marshall County.

W. M. GRIFFIN.

Mobile County.

THOS. H. HERNDON.

OLIVER S. BEERS.

SAMUEL C. MULDON.

W. A. SHIELDS.

JNO. H. GLENNON.

Monroe County.

R. CUNNINGHAM.

Montgomery County.

SAMUEL F. RICE.
H. V. CASHIN.

CAPT. GILMER.
C. O. HARRIS.

Morgan County.

J. M. JACKSON.

Perry County.

G. S. W. LEWIS

NICHOLAS STEPHENS.

Pickens County.

O. L. MCKINSTRY.

W. B. S. BEARD.

Pike County.

JOHN R. GOLDTHWAITE.

JOHN P. HUBBARD.

Randolph County.

C. J. USSERY.

Russell County.

A. S. GLENN.

M. J. JONES.

Sanford County.

D. W. HOLLIS.

Shelby County.

W. M. McMATH.

St. Clair County.

FRANK DILLON.

Sumter County.

A. G. GROVE.

WM. B. GERE.

Talladega County.

WM. TAYLOR.

WM. BAKER.

Tallapoosa County.

D. A. G. ROSS.

A. G. HOLLOWAY.

Tuscaloosa County.

H. H. BROWN.

N. N. CLEMENTS.

Walker County.

JOHN MANASCO.

Wilcox County.

GEORGE S. GULLETT.

ELIJAH BALDWIN.

Winston County.

W. B. MANASCO.

The oath of office was then administered to the members of the House by the Hon. R. C. Brickell, Chief Justice of the Supreme Court of Alabama.

Mr. Manasco, of Walker, offered the following resolution :

Resolved, That this House now proceed to the election of a permanent Speaker, a clerk and a door-keeper.

Pending the consideration of which, on motion of Mr. Kennedy, the House adjourned until to-morrow morning 10 o'clock.

SECOND DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, November 15, 1876.

The House met pursuant to adjournment.

On the call of the Roll the following members answered to their names :

Messrs. Betts, (temporary Speaker,) Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Blevins, Booker, Brodnax, Brown, Butler, Caldwell, Cashin, Cockrell, Crews, Crump, Cunningham of Lauderdale, Cunningham, of Monroe, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Forshee, George, Gere, Gibson, Gilchrist, Gilmer, Glenn, Glennon, Goldthwaite, Gray, Griffin, Grove, Gullet, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Muldon, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saun-

ders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, and White—93.

The Journal of yesterday was read and, on motion of Mr. Stevens, of Coffee, was corrected so as to show that Mr. Betts was elected temporary Speaker in the absence of the Hon. D. C. Anderson, Speaker of the last House of Representatives, and as corrected the Journal was approved.

UNFINISHED BUSINESS.

The first business in order was the consideration of the resolution of Mr. Manasco of Walker, pending at the hour of adjournment on yesterday.

Mr. Prowell moved to amend by adding "Assistant clerk, engrossing clerk, enrolling clerk, and assistant door-keeper."

The amendment was adopted and the resolution as amended was adopted.

The House then proceeded to the election of a Speaker.

Mr. Brown nominated Mr. N. N. Clements, of Tuscaloosa.

Those who voted for Mr. Clements are Messrs. Betts, (temporary Speaker,) Allen, Baker, Baldwin, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullet, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hernon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—88.

Mr. Clements having received 88 votes, being all the votes cast, was declared duly elected Speaker of the House.

On motion of Mr. Manasco, of Walker, a committee of

three was appointed to notify Mr. Clements of his election. Committee—Messrs. Manasco, of Walker, McKleroy, and Herndon.

Mr. Clements upon taking the chair, returned his thanks for the honor conferred upon him.

The oath of office was then administered to the Speaker by the Hon. R. C. Brickell, Chief Justice of the Supreme Court of Alabama.

The House then proceeded to the election of a Clerk.

Mr. McKleroy nominated Mr. Ellis Phelan, of Jefferson county.

Those who voted for Mr. Phelan are Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—95.

Mr. Phelan having received all the votes cast, viz.: 95, was declared duly elected Clerk.

The oath of office was then administered to Mr. Phelan by the Speaker, and he entered upon the discharge of the duties of his office.

ASSISTANT CLERK.

Mr. Glennon nominated Mr. W. L. Martin, of Jackson county.

Those who voted for Mr. Martin are :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher,

Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath. McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—94.

Mr. Martin having received all the votes cast, viz.: 94, was declared duly elected Assistant Clerk of the House.

DOOR-KEEPER.

Mr. Denman nominated Mr. I. D. Hogan, of Cleburne county.

Those who voted for Mr. Hogan are :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—88.

Mr. Blevins voted for Mr. J. F. Cocke, of Perry.

Mr. Hogan having received a majority of the votes cast was declared duly elected Door-keeper of the House.

ENGROSSING CLERK.

Mr. Kelly nominated Mr. Elmore Garrett, of Coosa county.

Those who voted for Mr. Garrett are :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard,

Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—87.

Mr. Garrett having received all the votes cast, viz.: 87, was declared duly elected Engrossing Clerk of the House.

ENROLLING CLERK.

Mr. Jolly nominated Mr. C. A. Battle.

Those who voted for Mr. Battle are:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—87.

Mr. Battle having received all the votes cast, viz. 87, was declared duly elected Enrolling Clerk of the House.

ASSISTANT DOOR-KEEPER.

Mr. DeLemos nominated Mr. John Robertson, of Lowndes county.

Those who voted for Mr. Robertson are:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weathford, Welsh, White—92.

Mr. Robertson having received all the votes cast, viz.: 92, was declared duly elected Assistant Door-keeper of the House.

The oath of office was then administered to the officers elect by the Speaker, and they entered upon the discharge of their respective duties.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 15, 1876.

Mr. Speaker :

I am instructed by the Senate to notify the House of Representatives that the Senate has effected a permanent organization by the election of the following officers: R. W. Cobb, President of the Senate, J. M. Carmichael, Secretary, W. L. Clay, Assistant Secretary, L. R. Davis, Door-keeper, and is now ready to proceed to the transaction of business.

J. M. CARMICHAEL,
Secretary.

Mr. Manasco, of Walker, offered the following resolution, which was lost:

Resolved, That a committee of three be appointed by the Speaker, who shall report as early as practicable, the number of officers absolutely necessary for the dispatch of business in this branch of the General Assembly.

Mr. Brown offered the following resolution:

Resolved, That a committee consisting of one member

from each congressional district be appointed for the purpose of seating the members, and that they be instructed to seat them by congressional districts.

Mr. Manasco, of Walker, moved to lay the resolution on the table. Lost, and the resolution was adopted.

Committee:

1st District—Prowell.

2d " Hubbard.

3d " Stevens, of Coffee.

4th " DeLemos.

5th " Holloway.

6th " Brown.

6th " Dillon.

8th " Betts.

On motion of Mr. Betts, the Clerk was instructed to notify the Senate of the permanent organization of the House.

Mr. Betts moved that a joint committee consisting of three on the part of the House and two on the part of the Senate, be raised for the purpose of waiting on the Governor and notifying him that the two Houses are now organized and are ready to receive any communication he may wish to make.

The motion prevailed.

Committee on the part of the House, Messrs. Betts, Jolly, and Stevens, of Coffee.

Mr. Manasco, of Walker, offered the following resolution:

Resolved, That the Rules of the last House of Representatives be adopted as the Rules of the present House, and that the clerk be directed to furnish each member with a copy of the same.

On motion of Mr. Betts the resolution was amended by adding the word "temporarily" after the word "adopted."

The resolution as amended was adopted.

Mr. DeLemos offered the following resolution:

Resolved, That the Speaker be, and he is hereby authorized and empowered, to appoint three pages and one messenger.

Mr. Lewis moved to amend by adding "and two hall attendants."

The amendment was accepted.

Mr. Griffin moved to amend by striking out the word "three" and insert "two" and strike out all after the word "pages," so that the resolution would read:

Resolved, That the Speaker be, and he is hereby authorized and empowered, to appoint two pages.

On motion of Mr. Blevins the amendment was laid on the table.

Mr. Harris moved to amend by striking out the words "one messenger."

Which, on motion of Mr. Blevins, was laid on the table. The resolution was then adopted.

Mr. McKleroy offered the following joint resolution which was adopted :

H. R. No. 1. *Be it resolved by the House of Representatives, the Senate concurring*, That the Secretary of State be, and he is hereby requested and authorized, to furnish to each member of this General Assembly, when called for, a copy of the Revised Code, and such acts of the Legislature of the State as may be obtained in the State Department, for use during the present session of the General Assembly, and which said volumes so furnished shall be returned by the members to the Secretary of State at the close of the session.

Mr. Brown offered the following resolution which was adopted :

Resolved, That a committee of three be appointed to invite the clergy of this city to open the sessions of this House with prayer.

Committee, Messrs. Brown, Grove and Speake.

Mr. Gilmer offered the following resolution, which was adopted :

Resolved, That the door-keeper be requested to provide keys for the locks of the desks of members.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 15, 1876.

Mr. Speaker :

The Senate has concurred in the House joint resolution raising a joint committee to notify the Governor of the organization of the two Houses. Committee on the part of the Senate, Messrs. Little, Harrison, and Sherrod.

J. M. CARMICHAEL,
Secretary.

By leave, Mr. Griffin introduced a bill—

H. R. 2. To regulate trials by jury.

Which was read once and ordered to a second reading on to-morrow.

Mr. Betts, from joint committee to wait upon the Governor, reported that the committee had performed the duty assigned it and that the Governor would send in his annual message in a few minutes.

The report was received and the committee discharged.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Nov. 15, 1876.

Mr. Speaker :

I am instructed by the Governor to communicate to the House of Representatives a message in writing with accompanying documents

Respectfully,

IKE H. VINCENT,
Private Secretary.

The message is as follows:

MESSAGE FROM THE GOVERNOR.

Gentlemen of the Senate and House of Representatives of the State of Alabama:

The Constitution of this State makes it incumbent on the Governor to give the General Assembly "information of the state of the government and recommend to their consideration such measures as he may deem expedient." In the discharge of that duty, I now submit to you my first bi-ennial message:

It is of the highest satisfaction to me to assure you that peace and quiet have reigned supreme over the entire State since the adjournment of the last General Assembly. No riot or disturbance, no effort or even threat to resist the laws, or to obstruct their full execution, has become known to the Executive. Our elections have been remarkable for the good order preserved. Every person entitled to vote under the law, enjoys that right without annoyance or hindrance, and I congratulate you, as well as your constituents, upon the universal determination that is manifested by the people to obey the laws, and submit to their faithful enforcement. I have not the remotest fear of trouble in their perfect execution, if there shall be no improper or mischievous interference by Federal authorities or officers, who seem to be earnestly engaged in arraying one class against the other, thereby engendering ill-blood

and strife in the State. The people, however, have the wisdom to understand their purpose, and the patriotism to avoid the disastrous consequences of their evil efforts.

Since 1874, measures of economy and reform have been inaugurated in the administration of the State Government, and while sufficient time has not elapsed to realize the full benefits that will accrue to the people from them, much has been already, and is now being realized. This is evidenced by the general improved condition of the country, and the restored confidence of the people. How marked the contrast between the period anterior to the triumph of the Democratic party, and the time during which the State has been controlled by its policy; then there was nothing but gloom and despondency, a general paralysis of all business and the industries of the State. Now behold the change! Industries revived; men pursue with cheerfulness and confidence the enterprises they regard as profitable and inviting. Our industries are showing unmistakable signs of returning prosperity, and but for the mistaken and ruinous financial policy of the present Federal Administration, would long before this time have blessed the people of Alabama.

Being the first members of the General Assembly elected under the present State Constitution, your coming together is attended with unusual interest. To you the people look, and properly look, for sound and wholesome laws. The duration of your session is limited by the terms of the Constitution to sixty days, beyond which time, in no event, can you extend it, and as the next Legislature will not convene until 1878, you may reasonably expect a laborious session. To avoid the injurious consequences of hasty legislation, it is advisable, and I suggest that you mature as soon as may be practicable such important measures of a general character as may require legislation at your hands during the present session, so that your action upon such measures may be more deliberate, and the certain enactment of such laws put beyond the hazard of failure by the confusion usually incident to an adjournment. By the adoption of such a course on your part, the Engrossing and Enrolling Clerks and Committees will have time to engross and enroll, and examine with care all bills that may become laws. Cases have sometimes occurred in which an error in the enrollment of a bill has inflicted serious damage upon the great interests of the State. These things need not, and

should not happen, due watchfulness and care will always prevent such misfortunes. The Governor will also have time to read and consider such bills as you may submit for his approval. It is quite unnecessary, however, for me to impress upon you these considerations. You who have left your homes and business at the call of your fellow-citizens, and have patriotically determined to make the sacrifices incident to such service, need not to be told of the necessity of such action, in your unselfish discharge of those great and responsible duties of legislators.

REPORTS OF AUDITOR AND TREASURER.

The reports of the Auditor and Treasurer for the fiscal year ending 30th September, 1876, exhibit in detail the operations of those departments of the State Government, and I invite your attention to them. The aggregate amount of disbursements in each report is doubtless correctly stated, but it must be noted and remembered that the statement of expenditures as shown by them does not correctly show the precise expenditures for the fiscal year named. The fiscal year referred to began on the 1st October, 1875, and these reports contain or cover the most of two months more than the fiscal year. Several items contained in them are contracts made or liabilities incurred before 1st October, 1875. Such as the expenses of the Constitutional Convention incurred in the previous year, but not paid until after 1st October, 1875, and so of salaries of all the State officers, and Judges of the Supreme Court, as well as the Judges of the other courts, feeding prisoners, and other claims for the months of August and September, 1875, not then paid for want of money in the Treasury, but were paid within the fiscal year ending September 30, 1876, and appear in those reports as expenditures of that year, when in truth they constitute a part of the expenditures of the preceding year. If these reports had contained a note explaining what I have stated above this part of my message would have been unnecessary.

The General Assembly at its late session appropriated money for current contingent expenses, and also a sum to pay contingent expenses of the past administration. That I might be able to present separate and distinct statements, showing the payments from each appropriation, in my approval of the accounts to be paid out of the contingent fund, I have in each case directed out of what fund

the payment should be made, but it seems that the Auditor has in some cases failed to issue the warrants as directed, and the result is confusion in those reports, making such items appear as an expenditure of the present administration, when in truth it is not. The State indebtedness, as set forth in the Auditor's report, is that which existed before the recent adjustment of the bonded indebtedness of the State. The present bonded debt is much changed and reduced. Its present condition, however, will be shown by a report of the Commissioners, which will be submitted at an early day of your present session.

REVENUE.

The revenue laws of the State require further revision and correction. It is exceedingly difficult to so perfect a system of revenue laws that will operate equally and justly on all of the people of the State.

In my message to the General Assembly of December, 1875, I said: "The tax upon property in this State cannot be increased beyond three-fourths of one per centum, and while that tax imposes heavy pecuniary burdens upon the people, yet they will submit to it without a murmur or complaint if they shall be made satisfied of two things:

"First, That such a tax is necessary, in good faith, to discharge the just obligations of the State and protect its honor.

"Second, That the burden of the tax be just and equal upon the property of the people."

The only mode by which perfection in a general law for purposes of revenue can be attained or even approached is to revise and correct its errors as they may be developed by a practical application of the law to the matters for which it was enacted. Only in that way can we see the wrongs and hardships of such laws.

Upon the subject of "Errors and Insolvencies," I beg to repeat what I said in my first message on that subject: "In the revision recommended by me, I invite you to look into the very large amount allowed tax collectors for 'errors and insolvencies.' That there may be 'errors' and sometimes, and in rare cases, insolvencies is reasonable, but in many cases the amounts allowed and credited to the collectors under these heads are very large, and I fear are allowed by the courts of county commissioners more as a

matter of form, because the tax collectors ask it, than because after proper and strict examination they find it to be right.

It is difficult to understand how property assessed at a fair value for taxation should not thereafter be worth the tax of three-fourths of one per centum of that assessed value. I know that property assessed for taxes may be destroyed by fire, death or other accidental causes, but in all such cases the evidence could and should be taken in writing, either upon the examination of the witness in open court or in some other way which may be considered more suitable by the General Assembly. This evil should be corrected.

I might apply with propriety much of the preceding paragraph to the action of the boards of equalization in the various counties in the State. There appears to be a want of attention by those boards to the vastly important duties devolved upon them.

By reference to their action in different sections of the State and in different counties in the same section, and indeed, in different localities in the same county, there is seemingly an inexcusable inequality in the assessed value of property. The members of those boards often appear to take but little interest in the discharge of their duty in equalizing the taxes, greatly to the loss and injury of the State and counties in their revenue, as well as to the discontent of the taxpayers, on account of the inequality of their taxes. I earnestly invite your attention to this branch of the revenue law, with the hope that a remedy may be applied that will cure the existing evils.

Equality between the tax payers in bearing the burdens of the State Government is a right each one may unquestionably claim, and if the State through the instrumentality of any of its departments, should fail to secure such rights, the people will and should complain. Our courts of county commissioners and equalization boards should by law be required to guard with greater care against the errors to which I have referred in this communication. Upon the subject of "errors" our officers can hardly make a mistake. An alleged error for which credit may be claimed by the collector is either one of fact, or of law, or of both. The commissioners can require the evidence to satisfy them if they doubt, and if the question be one of law, the law provides for its decision. "Insolvencies" should give no more trouble. All property is bound for its

taxes, and if the property is found it is very difficult to understand why it will not pay its own taxes—true it may die, or by some casualty, be destroyed, but if so, that could be easily ascertained by the commissioners and so reported to the Auditor.

In counties where the State tax does not exceed twelve thousand dollars, the law gives as a compensation to the tax assessor eight per cent. on the first thousand dollars, four per cent. on the next thousand dollars, and two per cent. on the remainder. The law also provides to pay the tax collector for any assessment he may make, upon which he collects the taxes, ten per cent. for the assessment and his usual per cent. for collecting it, to be paid by the State, so that the State loses eight per cent. upon all such assessments by the collector. It is the duty of the assessor to assess all of the property, and if the collector can do it, of course the assessor could do it, and if he fails to make full and complete assessments, I recommend that he be made responsible on his bond to pay to the State such increase of compensation as the State may have to pay to the collector, because of the failure of the assessor to discharge his duty fully in the assessment of the property.

The revenue law of 1876 is, in my judgment, defective in not requiring taxes to be paid by some specified time. As the law now stands there is no inducement held out or offered to the tax payer to pay his taxes at any particular time; nor is there any penalty for his not doing so. The result is that the tax payers, who have money, but can use it profitably otherwise, are in no haste to pay their taxes, notwithstanding they are due and the State may be in great need of the money. I think this provision of the law should be so changed as to induce early payments after the tax becomes due.

The abstracts of assessments returned by the assessor to the Auditor's office for the tax year of 1876, will disappoint the friends of the present revenue law. It was confidently believed that its yield of revenue to the State would exceed the yield under the act of 1868, by two or three hundred thousand dollars. Such will not be the fact unless there be large supplemental assessments. Up to your present meeting the abstracts from fifty-six counties show only \$36,393 91 over the act of 1868. Supplemental assessments may yet bring up the amount to meet those expectations, and I trust they may, but fear otherwise. Mobile county decreased as compared with last year by

the very large sum of \$14,892 92, Montgomery county by \$13,971 94, and Madison county by \$5,859 06. How or why this result I of course do not know. It must be that there is not so much property in those counties liable to taxation, or that the property has decreased in value or been listed wrong, or much of it not listed at all by the assessor. This great falling off in the receipts of revenue, or seeming falling off, makes it necessary, in my judgment, for you to re-examine the list of property taxed, with a view to the equalization of the taxes and so modifying the law, if need be, that its yield of revenue will be great enough to meet the just requirements of the State.

LANDS BOUGHT BY THE STATE AT TAX SALES.

I feel it my duty again respectfully to call your attention to the lands bought by the State when sold for taxes. So large an amount of land is now held by the State by virtue of such purchase, that it greatly reduces the receipts of revenue into the State Treasury, thereby causing embarrassment to the State, and making it necessary that a greater rate of taxation be continued on all the property of the people. The land, when purchased by the State remains in the possession and control of the former owner; he cultivates it free of rent and taxes, sometimes rents it to others and receives the rent, paying nothing to the State. This may, and often does continue for years, to the great detriment of the State and injustice to other tax payers.

I understand it is sometimes the case that a party will allow his lands to be sold for taxes, with a view of avoiding the payment of taxes thereafter. In my judgment, I cannot too strongly recommend legislation on this subject.

The tax title to real estate is admitted to be so uncertain and insecure that individuals are unwilling to trust them, and the consequence is, they will not purchase at such sales. The State, therefore, is compelled to purchase the lands thus sold for taxes. After the purchase by the State the former owner remains in possession or control of the lands as he did before the sale, and just before the expiration of the time for redemption, the same party gives the same land again to the assessor for taxation—fails to pay as before, and the land is again sold and bought by the State. The former owner holds possession as he did under the former sale, during the time allowed for redeeming, when the same course is taken and repeated for years, and

the State never collects a dollar of taxes upon it. This should be remedied.

STATE OBLIGATIONS.

The funding obligations of the State, generally called State money, have been gradually advancing in value until they are now almost of equal value with United States currency, and the fact that they have advanced and against very strong and influential combinations of money and talent is quite persuasive that their appreciation will be permanent. Their increased value is based upon the further fact that business men, as well as the people generally, have a growing confidence both in the ability and integrity of the State Government as administered by the party now in power. All believe that not only will the interest upon them be paid promptly, but the obligations themselves will certainly be redeemed by the State. I regard the restoration of the confidence of the people, in the promises of the State and her ability to meet her obligations of every kind as a grand achievement by this administration.

When I entered upon the discharge of the duties of the office of Governor, I found the State in a deplorable financial condition. It was encumbered with a large indebtedness and destitute of both means and credit. These State obligations, almost worthless, were being hawked about the country and often sold at a price as low as sixty to seventy cents on the dollar. Now they are so nearly at par that they could doubtless be used anywhere in payment of ordinary debts, except in cases where payments are to be made in bank.

This wonderful appreciation in funding obligations grows out of restored confidence, and why may we not have confidence in our own State, under the control of our own people—our own administration? This is one of the first fruits of "local self-government." The reduction made by this administration of our indebtedness, will enable the State to pay, and it will pay according to that adjustment, every dollar.

With restored confidence, prosperity will soon return and bless and crown with success the patriotic efforts of the people. The crops of grain for the past year have been abundant. The cotton crop is not large, but sufficient to have relieved our wants if a reasonable price could have been obtained. This, however, cannot be done on account

of the very unwise financial policy of the present Federal Administration—a policy that proposes, by a mere law of Congress, to force a state of convertibility between coin and paper money, without any economy on the part of the Government, and without reference to, or care for the industries of the country, or regard to its productions, or its trade at home, or with foreign nations, and without, in any proper way, having prepared, by wise and useful legislation, for the accumulation of coin in the United States, so as to produce no shock to the commercial or other industrial interests of the country.

PUBLIC SCHOOLS.

The report of the Superintendent of Public Instruction will exhibit the operations of our State system, for the year ending 30th September, 1876, as well as its present condition and prospects.

It affords me pleasure to say that this department of the public service has for the past fiscal year been managed with ability and success. Yet the system not having been perfected in all its details and workings in this State, I invite a careful investigation of it by you so that its efficiency may be increased and improved, and the different responsibilities growing out of its operations may be distinctly established and declared.

In some instances improper and incompetent teachers have been employed, which is to be regretted. Some well defined rule in relation to the competency and fitness of persons who may apply for positions as teachers should be established and enforced to prevent the recurrence of such mistake.

Our system of public instruction when matured and perfected will be of inestimable benefit to the people of the State. It will shed its blessings and extend its influences and advantages to all the citizens, and is eminently worthy of our greatest and best efforts for its promotion and advancement. Education is the great lever for the accomplishment of important ends and it should be in all constitutional modes, consistent with the ability of the government, encouraged, so that its benefits may be extended to, and enjoyed by all classes of our people. It is the sure road to greatness and power, both to citizens, and to the State.

IMMIGRATION.

I submit herewith a report from the Commissioner of Immigration, and invite your attention to its contents as showing the prospects of the enterprise in his hands. It is gratifying to me, as it must be to yourselves, to know that in many localities of the State considerable numbers of the best class of people from other States have become permanent citizens. They are gladly received and welcomed by the resident population, and will not only make very desirable additions to the society of the respective localities, but will also aid in the general prosperity, wealth and power of the State.

Alabama certainly offers the best advantages and highest inducements to immigrants. Every field of labor invites the industrious and enterprising citizen, by the abundant and rich returns offered.

The thriving village of Cullman, on the South and North railroad, in Blount county, is an example. There the industrious and thrifty Germans have settled in large numbers, with their intelligent laborers, and are adding not only to their own prosperity, but increasing vastly the wealth and power of Alabama.

The railroads of the State, and the prosperous and growing villages located upon their lines, have thus far done more to advance the cause of immigration in Alabama than the regular organizations, and the State is much indebted to them on account of their successful labors in that behalf.

The tide of immigration has now well set in, and I expect much of those instrumentalities in the future.

PENITENTIARY.

I invite your attention to the reports of the officers in charge of and connected with the State Penitentiary as showing not only its present condition, but also in full detail, its workings for the fiscal year ending September 30th, 1876.

In my annual message to the General Assembly of December 28th, 1875, among other suggestions I said, "with suitable legislation the Penitentiary could and would be made a source of profit to the State."

By reference to the details of the reports to which I have already invited your attention, you will perceive that

my prediction has been realized, notwithstanding my recommendations in the message were not fully carried out.

From the exhibit marked "A" attached to the Report of the Warden it will be seen that for the fiscal year just closed, the warden paid into the State Treasury six thousand dollars (\$6,000); cash on hand, \$3,621 03; solvent claims for labor, uncollected, \$11,386 37; amount of expenses in carrying on and sustaining the Penitentiary, \$5,059 34; making a total of receipts to be \$26,066 74— from which it is proper to deduct the sum of \$5,059 34, expenses of Penitentiary during the year, also the sum of \$6,700 paid by the State as salaries to the officers of the Penitentiary, making a total of \$11,759 34, which deducted from the receipts leaves a balance in favor of the Penitentiary \$14,307 40 over and above all expenses. If you will give the Penitentiary a proper credit for the one hundred convicts hired to Mr. Williams to pay for the farm known as the Penitentiary Farm, you will discover that its payments to the State are much larger than the money actually paid into the treasury. This farm was purchased for fifty thousand dollars, and paid for in State bonds bearing interest, but under the contract made by myself as Governor, and Thomas Williams, the bonds were returned to the State, and the farm is to be paid for and is being paid for by the services of one hundred convicts for eight years; therefore the Penitentiary will be entitled to an annual credit of one-eighth of \$50,000, say \$6,250, which added to the balance above stated, shows the net earnings over and above all expenses, to be \$20,557. This statement is based upon the hypothesis that one-eighth of the purchase money for the farm was to become due annually, when in fact the purchase was made upon a cash basis. The State was to pay, and did pay, fifty thousand dollars of its bonds, bearing eight per cent. interest, payable half yearly, with coupons attached. In this view of the original purchase the Penitentiary is entitled to a credit for interest as if the original purchase had not been changed, which would increase the amount of credits to which the Penitentiary would be entitled to a much larger sum.

In my former message, I said "the State pays for feeding prisoners while imprisoned in the counties, which for the last fiscal year amounted to \$94,020 25; pays fees to sheriffs in cases of insolvent convicts, which last year was \$5,778 93, also pays for arrests of absconding felons,

which was for above named year \$3,696 10, aggregating one hundred and three thousand four hundred and ninety-three dollars and twenty-three cents (\$103,493 23), to which should be added other small items paid by the State, and not enumerated in this message. It seems but fair, under this state of facts, that the convicts should be sent to the Penitentiary, that the State may have the benefit of their labor. It is useless to keep up the Penitentiary as a place of punishment, if those who are convicted of felonies, are sent to work for the counties, and in that way make the Penitentiary a useless expense to the State."

I ask to repeat what I then said, and invite your careful attention to it:

For the fiscal year ending 30th September, 1876, the items of expense set forth in the paragraph from my former message, are for feeding prisoners \$99,682 40, for fees paid to sheriffs in cases of insolvent convicts \$10,794 13, for arresting absconding felons \$4,330 70, aggregating \$114,807 23. Thus you see these expenses have become greater, notwithstanding I have faithfully struggled to reduce them, and yet I think, and so recommend, that some restrictive act be passed preventing continuances in criminal cases upon trivial showing.

I also recommend a modification of the act of March 7, 1876, "to provide for the punishment of persons convicted of crimes in certain cases." So that in all cases in which the term of service does not exceed one year it shall be discretionary with the judge to sentence them either to the penitentiary or hard labor for the county as he may think will best promote the ends of justice, but in all cases in which the punishment is for two years or more, the convicts must be sent to the penitentiary without any such discretion on the part of the judge.

Upon a review of the subject, I feel it my duty respectfully to invite your attention again to that subject. The expenditures connected with the arrest and feeding of prisoners are becoming very large and cannot possibly be reduced except by legislation, and as these expenses are paid by the tax payers of all the counties, it occurs to me that the profits of the labor of such prisoners after conviction should go into the State Treasury for the benefit of the very tax payers who paid the expenses above referred to, and not to the county in which the conviction may have been had. If the convicted prisoners are sentenced to the

penitentiary the profits of their labor go into the Treasury of the State, and of course inure to the benefit of the State, and all the tax payers therein, but if sentenced to work for the county in which they were convicted, the tax payers of that county receive the entire benefit of their labor, although they paid only a small portion of the expenses. This is in my judgment unjust, because by it one portion of the people are taxed for the benefit of another.

I renew the recommendation of my former message, as follows: "In addition to a law defining and punishing escapes from the State penitentiary, I invite your attention to the subject of escapes in another point of view. There is at present no well defined responsibility upon those who have convicts in charge under a contract of hiring from the Warden, and while thus in their charge, make an escape. I think there should be some regulation by law defining the responsibilities and duties of those who hire convicts, and particularly in relation to escapes." I regard this as important and trust I may be excused for respectfully urging it upon your consideration. It should not be left to be settled by contract between the Warden and those who hire convicts. I consider some legislation upon the subject necessary.

I concur with the Inspectors in their suggestion in relation to the expense of conveying convicts to the penitentiary, and again respectfully invite your attention to it, with a view to a change of the law on that subject.

The officers of the penitentiary have been diligent and faithful, and deserve well of the country.

The labor, and also the responsibility of the Inspectors, have been considerably increased, and it seems but just that the amount of their future compensation be also increased as your wisdom may consider proper.

After several fruitless efforts to obtain a settlement with Mr. Willis, the former warden of the penitentiary, I have caused suit to be instituted upon his bond which is now pending in the Circuit Court of Montgomery county.

UNIVERSITY AT TUSKALOOSA.

The State University at Tuscaloosa continues to prosper. The number of cadets has largely increased over the last scholastic year, with flattering prospects for further enlargement.

I am much gratified to know that it is rapidly growing

in popularity as an institution at which the student may make his education both thorough and finished. It has no superior in any State.

AGRICULTURAL AND MECHANICAL COLLEGE.

This college, I am pleased to say, is steadily growing in public favor.

From the report which is herewith submitted you will see that the number of students during the year 1875-6 was one hundred and four, with a prospect of an increase the present year.

The President, assisted by an able faculty, seems determined to make this institution what it should be—a successful means of educating the youths of the country.

NORMAL SCHOOLS.

The State Normal School at Florence, I am glad to say, is in a highly prosperous condition. Some of its former pupils are now in charge of public common schools and have shown themselves well qualified for teaching.

I regard this school as a success, and if properly cared for and conducted it will do much to revolutionize the system of conducting the common schools of the State, and will be of inestimable value to coming generations.

DEAF AND DUMB AND THE BLIND.

For full information as to the management of the Alabama Institution for the Deaf, Dumb and the Blind, for the fiscal year ending September 30, 1876, I refer you to the report of Board of Commissioners and officers of that Institution which accompanies this message.

No institution can have more worthy objects in view or have stronger claims for encouragement, and it is greatly to be regretted that so many of the children of the State, that are so sorely afflicted should be raised to maturity without its benefits.

By educating the deaf and dumb and the blind, the State not only elevates and prepares them for good and useful citizenship, but by teaching them in the arts of handicraft they add to the productions as well as to the wealth and power of the State.

ALABAMA INSANE HOSPITAL.

I invite your careful examination of the recommendations of the Trustees and Superintendent of the Alabama Insane Hospital, to be found in their report herewith submitted.

The valuable information contained therein will necessarily be of great service in your deliberations upon the interests of that very useful institution.

Its blessings upon the whole country, by its great care and skillful treatment of the many cases of insanity, cannot be estimated.

The building should be so extended that its accommodations may become equal to the wants of that unfortunate class of people. The application heretofore made to Congress by the General Assembly for permission to use the swamp land fund for this purpose, should be pressed upon the very favorable consideration of that body.

STATE CERTIFICATES.

In compliance with the act approved 20th March, 1875, and as its terms require, I have caused each of the following notes or bills, after proper examination, recording, and comparison, to be burned in my presence, to-wit: \$2,830.00 in 5 dollar bills, \$2,270.00 in ten dollar bills, \$3,300.00 in twenty dollar bills, \$250.00 in fifty dollar bills, and \$600.00 in one hundred dollar bills, aggregating nine thousand two hundred and fifty dollars (\$9,250.00).

PARDONS.

I herewith furnish you a list of pardons, reprieves and commutations, granted by me, as well as the fines and forfeitures remitted during the year ending 30th September, 1876, with the reasons therefor.

STATE MILITIA.

I refer you to the report of the Adjutant General of the State for full and detailed information as to the condition of this branch of the public service. There are, as you will observe, several organized companies that have been accepted by the Executive, but which have not been furnished with arms, and some of those that are reported as armed have not received the accoutrements necessary to complete their equipment.

The annual appropriation for the supply of arms to the State being exhausted, the further supply of arms and accoutrements had to be postponed until the next annual payment.

Out of the next amount received I hope to be able to complete the equipment of such companies as have been accepted, and until that is done I decline to accept any other companies.

REGULATION OF CONTRACTS.

The act approved 7th March, 1876, "To carry into effect and regulate contracts made under section 30 of article 4 of the Constitution of this State," is so comprehensive in its terms and provisions, that serious embarrassment as well as loss to the State, will be the result.

The construction given to that act requires publication to be made in one or more papers before the State can be furnished with the smallest amount of material or articles for use, or repairs necessary to be made. In many cases the cost of the notice for bids will equal, if not exceed, the cost of the article to be furnished, or the repairs to be made.

I invite your attention to the law, and trust you will examine more fully the demands of the Constitution in that particular, and if under the provisions of that instrument you can do so, I hope you will at least modify it by providing that all articles and repairs, costing less than some amount named, may be furnished or made without such publication.

PUBLIC ROADS.

I recommend a revision of the laws upon the subject of Public Roads. They need amendments in some important particulars. Their provisions should be more stringent as to the punishment of defaults, and in providing for more certain collection of the fines against defaulters.

PROSECUTIONS.

I also recommend a modification of the act approved March 4, 1876, to prescribe the time in which prosecutions for certain offences therein named may be commenced. The time named in that act is insufficient for an offence of that magnitude and character. It would be very difficult

indeed for the fact of the existence of such a crime to be discovered or become known in the short time allowed in that act. An officer who would commit so grave an offence would certainly prevent its discovery if he could, while he remained in office, and would so conceal and cover it up that it would be difficult to make an early discovery of it after his term of office expires.

The offence has become too common, with both State and federal officials, and it is our duty to punish or provide for the punishment of such criminals within our jurisdiction.

In view of these considerations I recommend that the statute of limitations for the offence therein referred to shall be six years, and that the punishment be increased by a longer confinement in the penitentiary.

COMMISSIONERS TO EXAMINE STATE OFFICES.

Under section 70 of the Revised Code, I appointed G. W. Noble, W. H. Dingley and E. A. Graham to examine the State offices, as that section required, and I now transmit their report for your examination and consideration.

I especially ask your attention to the very pointed criticisms of that report in relation to the failure of county officers to make proper reports. It should be made the duty of all officers, who send money to either the Auditor or Treasurer, that they, at the same time, send a written statement with said remittance, showing the amount, and kind of money so sent, and also a copy of said written statement, to the head of the other department—for instance, if the money and statement be sent to the Auditor, then send at the same time a true copy of the statement to the Treasurer, and if the money and statement be sent to the Treasurer, then a copy of the statement shall be sent to the Auditor, and it should be made the duty of the Auditor and Treasurer to file carefully and preserve all such statements, for reference at any time, when desired by the General Assembly or the Governor.

The report of the commissioners says: "We find a number of entries upon the books of this (Auditor's) office for which no vouchers are on file, notably for interest and deductions." How this can be the case without a departure from the great and vital principle of checks and safeguards, upon which the departments of all wise and safe governments are founded I cannot understand. It is, or should

be the policy of the government to multiply the checks in its departments upon each other, especially in the management and use of its moneys, and whenever these checks are disused or neglected, the government has no safeguard, beyond the accuracy and integrity of its officers.

As a general rule, all money of the State should be paid out or disbursed alone by the Treasurer, and then only upon the warrants from the Auditor, and the papers in all cases upon which a warrant shall issue, should be properly filed and preserved by the Auditor, and in no case should the money of the State be paid out, or in any way disbursed without a valid legal voucher to sustain it.

CONCLUSION.

Allow me to congratulate you and the entire country upon the signal and brilliant success of the patriotic people of the United States in their great struggle against fraud and corruption, as practiced by the party in the control of the federal government in the election, by an unprecedentedly large popular majority, of Tilden and Hendricks for President and Vice President of the United States. They have achieved a victory unequalled by any known to civilized governments, a victory achieved through the quiet and peaceful instrumentality of the ballots—the mode provided by our fathers for the protection and maintenance of the government in its strength and purity—no blood—no violence—no force. They have covered themselves with never fading and imperishable honor, and have made a name of which their children to the latest generation may be justly proud.

Having discharged the duty imposed upon the Executive of the State by the Constitution and laws, in submitting to you this message, it now becomes your duty to enact such laws as in your judgment will best promote and advance the interest and happiness of our constituents, which I am confident you will wisely and patriotically strive to do.

Wishing you success in the discharge of your highly important trusts as Representatives of the people, I beg to assure you of my readiness to cordially co-operate with you in the labors of your session.

GEO. S. HOUSTON.

Executive Department, Nov. 14, 1876.

Mr. Hubbard moved that one thousand copies of the Governor's message be printed.

Mr. Harris moved to amend by adding "and that the message be now read."

The amendment was lost, and the motion of Mr. Hubbard carried.

On motion of Mr. Griffin the House adjourned until tomorrow morning 10 o'clock.

THIRD DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, November 16, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews, of Montgomery.

CREDENTIALS.

Mr. G. M. Mott, member elect from the county of Washington, came forward, presented his certificate of election, and having been duly qualified, took his seat as a member of the House.

On the call of the roll the following members answered to their names:

Mr. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—97.

Journal of yesterday was read and approved.

BILLS ON SECOND READING.

H. R. No. 2. The bill to regulate trials by jury ;

Which was read the second time and referred to the Judiciary Committee when raised.

On motion of Mr. Holloway, leave of absence was granted Mr. Kelly until Monday, on account of sickness.

Mr. Brown offered the following resolution ;

Which was adopted.

Resolved, That a special committee, consisting of five members, be appointed to take into consideration the rules as adopted for the temporary government of this House, and recommend such changes, if any, as they may deem necessary.

Committee: Messrs. Brown, Betts, Herndon, Hubbard and Rice.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced.

By Mr. McKleroy—

H. R. No. 3. To repeal subdivision nine (9) of section seven (7) of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876 ;

Also,

H. R. No. 4. To amend section 2900 of the Revised Code of Alabama ;

Also,

H. R. No. 5. To amend section 4222 of the Revised Code of Alabama.

By Mr. Titcomb—

H. R. No. 6. To amend an act entitled an act to fix the time of holding the Circuit Court in the eleventh Judicial Circuit.

* By Mr. Cunningham, of Lauderdale—

H. R. No. 7. To amend section one chapter two of an act entitled an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

By Mr. Kennedy—

H. R. No. 8. To amend section 3733 of the Revised Code of Alabama.

By Mr. Muldon—

H. R. No. 9. For the preservation of game, animals and birds in this State.

By Mr. McMath—

H. R. No. 10. To repeal subdivision eight, section one,

chapter two of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

By Mr. Dillon—

H. R. No. 11. To amend section four, of chapter three of an act entitled an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

Also,

H. R. No. 12. To exempt the property of certain persons therein named from taxation.

By Mr. Taylor—

H. R. No. 13. To repeal an act to amend section 2704 of the Revised Code.

By Mr. Jackson—

H. R. No. 14. For the relief of the medical and legal professions ;

Which bills were severally read once, and ordered to a second reading on to-morrow.

Mr. Hubbard offered the following resolution :

Resolved, That one thousand copies each of the following documents, accompanying the Governor's message, be printed, viz :

Report of Superintendent of Insane Hospital.

Report of Superintendent of the Deaf, Dumb and Blind Asylum.

Report of President of the Agricultural and Mechanical College.

Report of Warden of the Penitentiary.

Report of pardons granted.

Report of Commissioners to examine State officers.

And that five hundred copies of the following documents be printed, viz :

Report of Adjutant General.

Report of Commissioner of Immigration.

Mr. Betts moved to amend the resolution by striking out "one thousand" and inserting "five hundred."

On motion of Mr. Brown, the resolution, with the amendment, was referred to the Committee on Public Printing, when raised.

Mr. Manasco, of Walker, offered the following resolution :

Resolved, That the Speaker appoint the following standing committees for this House, at the earliest time practicable :

Judiciary, Ways and Means, Internal Improvements, Education, Penitentiary, Local Legislation, Finance, Cor-

porations, Accounts and Claims, Fees and Salaries, Public Roads and Highways, Federal Relations, Counties and County Boundaries, State Capitol, Public Buildings and Institutions, Agriculture and Commerce, Military, Appropriations, Public Printing, Privileges and Elections, and Enrolled Bills.

Mr. Cashin moved to amend by adding the Committee on Temperance.

Lost.

Mr. Brown moved to amend by adding "Committee on Engrossed Bills."

The amendment was accepted, and the resolution was adopted.

The Speaker announced the following standing committees:

Judiciary—Messrs. Herndon, Jolly, McKleroy, Denson, Stevens, of Coffee, McMath, Glennon and Rice.

Ways and Means—Messrs. Betts, Muldon, Gere, Cunningham, of Lauderdale, Goldthwaite, Darden, Jackson, Brown and Cunningham, of Monroe.

Education—Messrs. McKleroy, Dillon, Holloway, Fletcher, McAdory, Titcomb, Taylor, Doster and Hudson.

Corporations—Messrs. Jolly, McWhorter, Caldwell, Muldon, Saunders, Townsend, Hansburger, Crews and Hollis.

Local Legislation—Messrs. Brown, Brodnax, McFarlane, McDuffie, Beard, Prowell, Kirkland, Espy and Kelly.

Accounts and Claims—Messrs. Denson, Dean, Groves, Speake, Gilchrist, Smith, Shields, Ross and Glenn.

Finance—Messrs. Harrington, Jones, Butler, Baker, Griffin, Wall, George, Forwood and Ramsey.

Privileges and Elections—Messrs. Hubbard, Glennon, Allen, Weatherford, McKinstry, Rodgers, Booker, Booth and Crump.

Federal Relations—Messrs. Stevens, of Coffee, McAdory, Gray, Gibson, Robinson, McDavid, Hudson, Baxter and Harris.

Counties and County Boundaries—Messrs. Holloway, Kennedy, Bishop, Ussery, Foshee, Denman, DeLemos, White and Welch.

Penitentiary—Messrs. Kennedy, Kelly, Taylor, Darden, Hansburger, Welch, Brown and Manasco, of Winston.

Public Buildings and Institutions—Messrs. Hobson, McMath, Herndon, Betts, Cunningham, of Monroe, Titcomb, Prowell, Kirkland and Rice.

Public Roads and Highways—Messrs. Jackson, Man-

asco, of Walker, Hollis, Brodnax, Booker, George, Gilchrist, Caldwell and Gullett.

Internal Improvements—Messrs. Dillon, Kirkland, Townsend, Ross, Grove, Griffin, Gray, McDonald and Cockrell.

State Capitol—Messrs. Forwood, Wall, Smith, White, Robinson, McDuffie, McDavid, Crump and Blevins.

Military—Messrs. Manasco, of Walker, McFarlane, Beard, McWhorter, Denman, Rodgers, Jones, Saunders and Speake.

Appropriations—Messrs. Beers, Hobson, Harrington, Allen, Baker, Crews, Butler, Doster and Cashin.

Public Printing—Messrs. Cunningham, of Lauderdale, Shields, Espy, Foshee, Glenn, Goldthwaite, Weatherford, Ramsey and Lewis.

Agriculture and Commerce—Messrs. Gere, Ussery, Dean, Bishop, Baxter, Beers, Gibson, McKinstry, and Baldwin.

Fees and Salaries—Messrs. Goldthwaite, Prowell, Shields, Harrington, Baker, Mott, McKinstry and Jackson.

Engrossed Bills—Messrs. Ramsey, Glennon, Rodgers, Hansburger, McDonald and Cashin.

Enrolled Bills—Messrs. Fletcher, McWhorter, McAdory, Kelly, Gullett and Stevens, of Dallas.

On motion of Mr. Cockrell, one hundred and fifty copies of the standing committees and three hundred blank committee reports were ordered printed.

Mr. Manasco, of Walker, moved to adjourn until to-morrow morning 10 o'clock.

Mr. Bishop named 4 o'clock this evening.

The longest time being first put was carried, and the House adjourned until to-morrow morning 10 o'clock.

FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, November 17, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—92.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Hubbard until Monday next.

BILLS ON SECOND READING.

The bills—

H. R. No. 3. To repeal subdivision nine (9) of section seven (7) of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 7. To amend section one of chapter two of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 10. To repeal subdivision eight section one, chapter two of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 11. To amend section four of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 12. To exempt property of certain persons therein named from taxation ;

Which were severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 14. For the relief of the medical and legal professions of the State ;

Was read the second time.

Mr. Prowell moved to amend so as to include merchants.

Mr. Fletcher moved to amend so as to include all other persons who have paid license tax before the adoption of the Revenue Law, so that those persons who have paid more than the present Revenue Law requires, shall be refunded the same.

Mr. DeLemos moved to amend by inserting the words, "and barbers."

The bill, with the amendments, was referred to the Committee on Ways and Means.

The bills—

H. R. No. 4. To amend section 2900 of the Revised Code.

H. R. No. 5. To amend section 4222 of the Revised Code.

H. R. No. 6. To amend an act to fix the time of holding the Circuit Courts in the 11th Judicial Circuit.

H. R. No. 8. To amend section 3733 of the Revised Code.

H. R. No. 13. To repeal an act entitled an act to amend section 2704 of the Revised Code ;

Were severally read the second time and referred to the Committee on the Judiciary.

The bill—

H. R. No. 9. For the preservation of game, animals and birds in this State ;

Was read the second time and referred to the Committee on Agriculture and Commerce.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 17, 1876.

Mr. Speaker :

The Senate has adopted a joint resolution :

S. 17. Requiring the Secretary of State to furnish mem-

bers of the General Assembly with the Code and acts of the Legislature.

J. M. CARMICHAEL,
Sec'y of Senate.

s. No. 1½. Joint resolution, requiring the Secretary of State to furnish members of the General Assembly with the Code and acts of the Legislature, was read and adopted.

CALL OF THE COUNTIES.

On call of the counties, bills were introduced :

By Mr. Crews—

H. R. No. 15. Requiring Probate Judges to itemize their accounts ;

Which bill was read once and ordered a second reading on to-morrow.

Also,

H. R. No. 16. Joint resolution to appoint a joint committee to visit and inspect the penitentiary ;

Which was read and adopted.

By Mr. McKleroy—

H. R. No. 17. To repeal an act to amend section 1833 of the Revised Code of Alabama, approved April 8, 1873, and to revive and re-enact said original section 1833.

Also,

H. R. No. 18. To repeal an act to establish separate school districts within the several counties of this State, approved March 6, 1876.

By Mr. Denson—

H. R. No. 19. To amend section 2562 (2164) of the Revised Code.

By the same—

H. R. No. 20. To preserve and secure personal property in all suits, for the recovery of the same in specie.

By Mr. Forwood—

H. R. No. 21. To amend subdivision 8 of section one of chapter 2 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

By Mr. Cunningham, of Lauderdale—

H. R. No. 22. To punish county treasurers for embezzlement.

By Mr. Ramsey—

H. R. No. 23. To prevent the killing or injury of live stock, or cattle of any kind by railroad cars.

By Mr. Glennon—

H. R. No. 24. To fix the time of meeting of the biennial sessions of the General Assembly of Alabama.

By Mr. Goldthwaite—

H. R. No. 25. In relation to the feeding of prisoners in jail.

By Mr. Ussery—

H. R. No. 26. To repeal an act to prohibit the sale or giving away of vinous or spirituous liquors within one and a half miles of Macedonia, Forresters' Chapel and Mount Zion churches, and also within two miles of Mount Morris church, all in Randolph county, approved February 13, 1875, so far as relates to Mount Morris church.

By Mr. McMath—

H. R. No. 27. To amend section 3706 of the Revised Code of Alabama.

By Mr. Dillon—

H. R. No. 28. To amend section 1374 of the Revised Code.

By Mr. Taylor (with petition)—

H. R. No. 29. To change the boundary line between the counties of Talladega and Clay, in this State.

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Brown—

H. R. No. 30. Joint resolution raising a joint committee, to whom shall be referred that part of the Governor's message relating to immigration.

Which was read and adopted.

By Mr. Jolly—

H. R. No. 31. To amend section 4029 of the Revised Code of Alabama.

By Mr. McAdory—

H. R. No. 32. To authorize Notaries Public to take acknowledgements and proof of conveyances without seal, and to declare the effect of the same.

By Mr. Robinson—

H. R. No. 33. To provide for the appointment of County Solicitors;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Muldon offered the following Resolution:

Resolved, That the Committee on Ways and Means be, and they are hereby instructed, to prepare a Revenue Bill and report the same to this House at the earliest time

practicable, and that said committee be authorized to have printed not exceeding 500 copies of said bill.

On motion of Mr. Betts the resolution was amended so as to read as follows:

Resolved, That the Committee on Ways and Means be, and they are hereby instructed, to inquire into the propriety of preparing a Revenue Bill.

The amendment was accepted by Mr. Muldon and adopted by the House.

Mr. Cunningham, of Lauderdale, from the Committee on Public Printing, made the following report:

Mr. Speaker:

The Committee on Public Printing to which was referred the resolution of Mr. Hubbard in regard to the printing of the documents accompanying the Governor's message and the amendment of Mr. Betts, have had the same under consideration, and instruct me to report that the committee recommend that 1000 copies of each document respectively be printed, except the Adjutant General's report, of which they recommend the printing of 500 copies.

J. M. CUNNINGHAM,
Chairman.

The report was received and adopted.

On motion of Mr. Weatherford the House adjourned until to-morrow morning 10 o'clock.

FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, November 18, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy,

Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavied, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—92.

Journal of yesterday read and approved.

Leave of absence was granted to Mr. Baker until Monday, and Mr. Grove for two days.

The Speaker announced the following committees:

Committee, under the joint resolution, appointing a joint committee to visit the penitentiary:

Messrs. Crews, Saunders and Beers.

Committee, under the joint resolution, raising a joint committee upon the Governor's message in regard to immigration:

Messrs. Brown, Harrington, Kennedy and Robinson.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 18, 1876.

Mr. Speaker:

The Senate has passed the following joint resolution:

Resolved, That the Senate, the House of Representatives concurring, will meet in joint convention with the House of Representatives on Saturday, the 18th inst., at 12 M., to witness the opening of the returns and the proclamation of the result of the election held on the 7th day of August, 1876, for officers of the Executive Department of the State of Alabama.

J. M. CARMICHAEL,
Secretary.

On motion of Mr. Betts, the Senate joint resolution fixing 12 M. to-day as the time for meeting in joint convention for the purpose of witnessing the counting of the votes cast for Executive officers, was taken up and adopted.

BILLS ON SECOND READING.

The bills—

H. R. No. 17. To repeal an act entitled an act to amend section 1833 of the Revised Code of Alabama, approved April 8, 1873, and to revive and re-enact said original section 1833.

H. R. No. 19. To amend section 2562 of the Revised Code.

H. R. No. 20. To preserve and secure personal property in all suits for the recovery of the same in specie.

H. R. No. 22. To punish county treasurers for embezzlement.

H. R. No. 23. To prevent the killing or injury of live stock, or cattle of any kind by railroad cars.

H. R. No. 27. To amend section 3706 of the Revised Code.

H. R. No. 31. To amend section 4029 of the Revised Code.

H. R. No. 32. To authorize Notaries Public to take acknowledgments and proof of conveyances without seal, and to declare the effect of the same;

Were severally read the second time and referred to the Committee on the Judiciary.

The bill—

H. R. No. 24. To fix the time of meeting of biennial sessions of the General Assembly of Alabama;

Was read the second time.

Mr. Hansburger moved to amend by striking out the words, "Tuesday after the second Monday in January, 1879," and inserting in lieu thereof the words, "Tuesday after the third Monday in October in the year 1878."

The amendment was adopted, and the bill referred to Judiciary Committee.

The bill—

H. R. No. 33. To provide for the appointment of County Solicitors;

Was read the second time.

Mr. Stevens, of Dallas, moved to amend so as to make said solicitors elective instead of appointive.

Mr. Jolly moved to amend by striking out that portion of the first section of the bill, commencing at the word "provided," to the last word of said section, inclusive.

Mr. Cunningham, of Monroe, moved to amend by adding the following:

"Provided, that it shall be the duty of said county solicitor to attend all sessions of the commissioners court of his county, act as counsel for the same, and receive such compensation for such service as the said commissioners may allow."

The bill with the amendments, was referred to the Judiciary Committee.

The bills---

H. R. No. 15. Requiring probate judges to itemize their accounts.

H. R. No. 25. In relation to the feeding of prisoners in jail.

H. R. No. 28. To amend section 1374 of the Revised Code ;

Were severally read the second time and referred to the Committee on Fees and Salaries.

The bill---

H. R. No. 18. To repeal an act to establish separate school districts within the several counties of this State, approved March 6, 1876 ;

Was read the second time and referred to the Committee on Education.

The bill---

H. R. No. 21. To amend subdivision 8 of section one of chapter two of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876 ;

Was read the second time and referred to the Committee on Ways and Means.

The bill---

H. R. No. 26. To repeal an act to prohibit the sale or giving away of vinous or spirituous liquors within one and a half miles of Macedonia, Forresters' Chapel and Mount Rion churches, and also within two miles of Mount Morris church, all in Randolph county, approved February 13, 1875, so far as relates to Mount Morris church ;

Was read the second time and referred to the Committee on Local Legislation.

The bill---

H. R. No. 29. To change the boundary line between the counties of Talladega and Clay, in this State ;

Was read the second time.

Mr. Taylor asked and obtained leave to withdraw the bill.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Hansburger---

H. R. No. 34. To amend section 1324 of the Revised Code.

By Mr. Gilchrist---

H. R. No. 35. To provide more effectually for working

the public roads.

By Mr. Denson---

H. R. No. 36. To prevent any person from employing the agricultural laborers of another.

By Mr. Forwood---

H. R. No. 37. To change the boundary line between the counties of Monroe and Clarke.

By Mr. Denman---

H. R. No. 38. To amend subdivision four of section 2928 of the Revised Code.

By Mr. Harrington---

H. R. No. 39. To limit the time of holding the Circuit Court of Colbert county to one week.

By Mr. Hudson---

H. R. No. 40. To amend section one of chapter three of Revenue Code.

Also,

H. R. No. 41. To extend the time of redemption of land sold for taxes.

By Mr. Speake---

H. R. No. 42. To amend section 956 of the Revised Code.

By Mr. Jolly---

H. R. No. 43. To amend section 4011 of the Revised Code.

By Mr. Ramsey---

H. R. No. 44. To amend an act to create and provide for the punishment of the crime of seduction, approved March 15, 1875.

By Mr. Prowell---

H. R. No. 45. To punish larceny of property attached to the freehold.

By Mr. George---

H. R. No. 46. To provide for the summoning of witnesses before grand juries.

Also,

H. R. No. 47. To amend section 3743 of the Revised Code.

By Mr. Griffin---

H. R. No. 48. To amend section one of chapter three of the act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

By Mr. Goldthwaite---

H. R. No. 49. To repeal sections 1858, 1859 and 1860 of the Revised Code.

By Mr. Dillon---

H. R. No. 50. To declare certain sales made by executors and administrators valid.

By Mr. Mott---

H. R. No. 51. To repeal an act to prevent woods burning in Washington county, approved February 10, 1875 ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Denson offered the following resolution :

Resolved, That the Speaker be, and he is hereby empowered to appoint an assistant door-keeper, who shall take charge of the gallery and also perform the duties of Sergeant-at-Arms of the House.

Mr. Griffin moved to lay the resolution on the table.

Lost.

On motion of Mr. Betts, the resolution was referred to the Judiciary Committee.

REPORTS FROM STANDING COMMITTEES.

The next business in order was reports from standing committees.

Mr. Herndon, from the Judiciary Committee, reported adversely to the bill—

H. R. No. 2. To regulate trials by jury ;

Which was concurred in.

Mr. Herndon, from same committee, reported favorably to the bill—

H. R. No. 5. To amend section 4222 of the Revised Code of Alabama.

The bill was ordered to a third reading forthwith; read the third time and passed—yeas 78, nays 9.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winson, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee,

Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—79.

.Nays—Messrs. Baldwin, Cashin, Harris, Johnston, Lewis, Mayberry, Rice, Stevens, of Dallas, Stephens, of Perry---9.

Also, from same committee, reported favorably to the bill—

H. R. No. 4. To amend section 2900 of the Revised Code of Alabama;

Which bill was ordered to a third reading forthwith; read the third time and passed—yeas 72, nays 15.

Yeas---Messrs. Speaker, Allen, Beers, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Espy, Forwood, Foshee, George, Gere, Gibson, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Mayberry, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKins-try, McKleroy, McMath, McWhorter, Ramsey, Rodgers, Ross, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Town- send, Ussery, Wall, Weatherford, Welsh, White---72.

Nays---Messrs. Baxter, Betts, Booth, Darden, Doster, Fletcher, Gilchrist, Goldthwaite, Hobson, Manasco, of Walker, McFarlane, Prowell, Rice, Robinson, Saunders---15

RECESS

On motion of Mr. Betts, the House took a recess until 12 o'clock M.

REASSEMBLING.

At the hour of 12 M., the Speaker called the House to order.

JOINT CONVENTION.

The hour of 12 o'clock having arrived, the two Houses assembled in joint convention in the hall of the House for the purpose of witnessing the opening of the returns and the proclaiming the result of the election held in August last, for executive officers.

The President of the Senate directed the Secretary of the Senate and the Clerk of the House, to call the roll of their respective houses.

There were present of the Senate---

Messrs. President, Armstrong, Bankhead, Billups, Brooks, Cunningham, Dobbs, Dunklin, Gordon, Hargrove, Harris, Harrison, Howell, Johnson, Knox, Little, Lyon, Owen, Padgett, Randolph, Rice, Robinson, Saffold, Seay, Sherrod, Slaughter, Tait, Thorton, Torrey, Wood and Wilson.

Of the House—

Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jackson, Jolly, Jones, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh and White—87.

The President of the Senate then proceeded to open the returns and proclaim the result of the election held on the seventh day of August, 1876, for officers of the Executive Department of the State, as follows (the Speaker of the House being present and witnessing the opening of said returns and the proclaiming of the result):

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COUNTIES.	GOVERNOR.		SECRETARY OF STATE.		ATTORNEY GENERAL.		STATE AUDITOR.		STATE TREASURER.	
	George. S. Houston.	Noadiah Woodruff.	R. K. Boyd.	Amos Moody.	J. W. A. Sanford.	E. H. Grandin.	Willis Brewer.	Lewis Owen.	Daniel Crawford.	W. B. Harris.
Antauga.....	774	1221	768	1222	774	1222	773	1222	770	1222
Baldwin.....	557	244	557	244	557	244	557	244	557	244
Barbour.....	3270	171	3271	171	3271	171	3270	171	3271	171
Bibb.....	811	232	814	232	813	231	813	231	814	232
Blount.....	1610	129	1590	117	1590	115	1590	116	1586	116
Bullock.....	2919	592	2850	660	2850	658	2854	661	2725	660
Butler.....	1873	935	1874	935	1874	936	1874	936	1874	936
Calhoun.....	2062	296	2058	290	2056	291	2055	291	2058	291
Chambers.....	2117	690	2112	687	2112	687	2112	687	2113	687
Cherokee.....	1464	42	1462	42	1462	42	1461	42	1462	42
Chilton.....	1075	66	1073	59	1075	59	1075	58	1077	58
Choctaw.....	1066	.....	1017	.....	1017	.....	1017	.....	1017	.....
Clarke.....	1042	214	1043	213	1043	213	1043	213	1043	213
Clay.....	1142	201	1124	194	1125	194	1125	194	1125	194
Oleburne.....	781	282	770	283	770	283	769	283	770	283

Coffee.....	686	18	685	18	684	18	684	18	684	18	685	18
Colbert.....	1357	1080	1343	1083	1344	1080	1344	1080	1344	1080	1346	1079
Conecuh.....	1142	656	1143	656	1143	656	1143	656	1143	656	1143	656
Coosa.....	1330	741	1301	750	1296	751	1303	751	1303	751	1307	749
Covington.....	731	.....	705	.....	705	.....	704	.....	704	.....	705	.....
Crenshaw.....	1290	150	1284	150	1284	150	1284	150	1284	150	1284	150
Dale.....	1343	367	1344	367	1331	366	1343	368	1343	368	1343	363
Dallas.....	1613	6300	1625	6283	1622	6288	1624	6282	1624	6282	1625	6284
DeKalb.....	1009	373	954	380	1046	371	914	373	914	373	1042	375
Elmore.....	1401	1153	1398	1150	1398	1153	1398	1153	1398	1153	1399	1152
Escambia.....	638	133	636	134	636	134	634	134	634	134	634	134
Etowah.....	1336	310	1334	310	1332	310	1334	310	1334	310	1335	311
Fayette.....	925	135	886	131	892	130	890	130	890	130	894	130
Franklin.....	984	135	977	134	978	127	978	127	978	127	977	127
Greene.....	521	1008	521	1004	521	1013	520	1013	520	1013	521	1013
Geneva.....	382	1	382	1	386	1	382	1	382	1	382	1
Hale.....	2220	1467	2214	1471	2213	1474	2215	1474	2215	1474	2216	1473
Henry.....	1676	225	1676	225	1671	225	1676	225	1676	225	1671	225
Jackson.....	2426	773	2419	753	2431	753	2337	754	2337	754	2426	758
Jefferson.....	1845	368	1839	368	1841	367	1842	367	1842	367	1839	367
Lauderdale.....	1495	1033	1480	1046	1480	1041	1475	1047	1475	1047	1475	1046
Limestone.....	1687	1293	1693	1291	1693	1290	1693	1291	1693	1291	1693	1292
Lawrence.....	1609	1586	1614	1580	1614	1579	1614	1580	1614	1580	1614	1580
Lee.....	2087	942	2083	941	2082	942	2080	939	2080	939	2083	941
Lowndes.....	1090	3491	1092	3494	1080	3494	1076	3476	1076	3476	1091	3494

Shelby.....	1456	555	1451	555	1451	555	1451	555	1451	555
St. Clair.....	1215	414	1208	363	1208	360	1208	363	1207	363
Sumter.....	2019	1141	2018	1141	2017	1142	2018	1142	2018	1143
Talladega.....	1942	1571	1951	1560	1949	1559	1951	1560	1951	1560
Tallapoosa.....	2609	437	2581	437	2581	438	2582	438	2581	407
Tuskaloosa.....	1920	716	1906	719	1906	719	1903	719	1906	718
Walker.....	837	653	803	655	802	652	800	655	800	654
Washington.....	500	-----	500	-----	500	-----	500	-----	500	-----
Wilcox.....	1483	3586	1484	3589	1480	3591	1470	3592	1483	3589
Winston.....	296	400	251	296	249	296	250	297	250	297
	99255	55582	96381	55352	96734	55352	96053	55061	96681	54451

On motion, the joint convention took a recess until 4 P. M.

The joint convention reassembled at 4 P. M.

The President of the Senate then announced that George S. Houston, Rufus K. Boyd, John W. A. Sanford, Willis Brewer and Daniel Crawford, having received a majority of the votes cast, for Governor, Secretary of State, Attorney General, State Auditor and State Treasurer respectively, were duly elected to said offices for the term prescribed by law.

On motion, the joint convention adjourned, and the Senate repaired to its chamber.

On motion of Mr. Harris, the House adjourned until 10 o'clock Monday morning.

SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, November 20, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—89.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Blevins for one day.

BILLS ON SECOND READING.

The bills—

H. R. No. 34. To amend section 1324 of the Revised Code.

H. R. No. 35. To provide more effectually for working the public roads;

Were severally read the second time and referred to the Committee on Public Roads and Highways.

The bill—

H. R. No. 36. To prevent any person from employing the agricultural laborers of another;

Was read the second time.

Mr. Hobson moved to amend by inserting the word "written" before the word "contract," in fourth line, section 1.

Mr. Cashin moved to lay the amendment on the table.

Lost.

And the bill with amendment was referred to the Committee on Agriculture and Commerce.

The bill—

H. R. No. 49. To repeal sections 1858, 1859 and 1860 of the Revised Code;

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill—

H. R. No. 37. To change the boundary line between the counties of Monroe and Clarke;

Was read the second time and referred to the Committee on Counties and County Boundaries.

The bills—

H. R. No. 38. To amend sub-division 4 of section 2928 of the Revised Code;

H. R. No. 39. To limit the time of holding the Circuit Court of Colbert county;

H. R. No. 41. To repeal an act to extend the time of redemption of land sold for taxes;

H. R. No. 42. To amend section 956 of the Revised Code;

H. R. No. 43. To amend section 4011 of the Revised Code;

H. R. No. 44. To amend an act to create and provide for the punishment of the crime of seduction, approved March 15, 1875;

H. R. No. 45. To punish larceny of property attached to freehold;

H. R. No. 46. To provide for the summoning of witnesses before Grand Juries;

H. R. No. 47. To amend section 3743 of the Revised Code;

Were severally read the second time and referred to the Committee on Judiciary.

The bill---

H. R. No. 50. To declare certain sales made by executors and administrators valid;

Was read the second time.

Mr. Hobson moved to amend by adding the words "and guardians."

The bill with the amendment was referred to the Judiciary Committee.

The bill---

H. R. No. 40. To amend section 1 of chapter 3 of Revenue Code;

Was read the second time.

Mr. Cashin moved to amend by adding the following at the close of the first section:

That the tax collectors of the respective counties of this State are hereby required to receipt for the tax provided for in section one of this act on a printed list in the form of an account, which shall specify the nature and kind of funds in which said tax has been collected, and at the time and manner now prescribed by law, pay over the same to the Superintendent of Education. The tax provided for by this act shall be disbursed, when collected, in the same kind of moneys as received by the tax collector.

The bill with the amendment was referred to the Committee on Education.

The bill---

H. R. No. 48. To amend section one of chapter three of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

Was read the second time and referred to the Committee on Education.

The bill---

H. R. No. 51. To repeal an act to prevent woods burning in Washington county, approved February 10, 1875;

Was read the second time and referred to the Committee on Local Legislation.

The House concurred in the Senate---

s. No. 9. Joint resolution appointing a joint committee of one from each judicial circuit, of Senate and House re-

spectively, to divide the State into eight Judicial Districts.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. McKleroy---

H. R. No. 52. To organize and regulate a system of public instruction for the State of Alabama.

By Mr. Darden---

H. R. No. 53. To amend sub-division 8 of section 4 of chapter 3 of an act to establish a Revenue Code for the State of Alabama, approved March 6th, 1876.

By Mr. Denson---

H. R. No. 54. To prescribe the time within which appeals may be taken by bill of exceptions.

By Mr. Forwood---

H. R. No. 55. To amend section 8 of chapter 7 of the Revenue Code of Alabama.

By Mr. Butler---

H. R. No. 56. To authorize Justices of the Peace to foreclose liens and mortgages on personal property.

By Mr. Jolly---

H. R. No. 57. To regulate the trial of misdemeaners in Jefferson county;

Also,

H. R. No. 58. To amend section 7 of chapter 11 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

By Mr. McAdory---

H. R. No. 59. To amend section 4363 of the Revised Code;

By Mr. Cunningham, of Lauderdale---

H. R. No. 60. To amend sub-division 14, section 7, chapter 9, of an act to establish a Revenue Code for the State of Alabama;

By Mr. Booker---

H. R. No. 61. To amend section 1023 of the Revised Code;

By Mr. Betts---

H. R. No. 62. To require the registration lists of voters to be closed twenty days before election day;

By Mr. Bishop---

H. R. No. 63. To amend section one of an act to establish, organize and regulate a system of public instruction for the State of Alabama;

By Mr. Herndon---

H. R. No. 64. To amend an act to provide for the impeachment and removal from office of the officers mentioned in section 2 and section 3 of article vii. of the Constitution of Alabama, approved March 7, 1876;

By Mr. Glennon---

H. R. No. 65. To amend section one of an act to regulate the term of service of jurors, approved March 15, 1875;

By Mr. Stephens, of Perry---

H. R. No. 66. To repeal section 34 of an act entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved 3d of March, 1875;

By Mr. McMath---

H. R. No. 67. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875;
Also,

H. R. No. 68. To repeal an act to compromise the debts of any county in this State, whose obligations are worth less than par value, approved March 6, 1876;

Also,

H. R. No. 69. To regulate the payment of debts existing against any county in this State contracted prior to the 16th day of November, 1876;

By Mr. Dillon---

H. R. No. 70. To regulate the terms of the Circuit Court of St. Clair county, in the 12th Judicial Circuit of Alabama;

By Mr. Brown---

H. R. No. 71. To amend section 774 of the Revised Code; Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Dean offered the following resolution which was adopted:

Resolved, That the Judiciary Committee be, and they are hereby instructed, to prepare and report a bill to more particularly define the mode by which defendants in execution may claim and secure the amount of property exempt from execution or other process of law, by the constitution and statutes of this State.

Mr. Jolly offered the following resolution, which was adopted:

Resolved, That a committee of five be appointed to inquire into the propriety and necessity of appointing clerks for the committees of the House; whether clerks are

needed for any of the committees, and what committees, and if needed, what the compensation of the clerk or clerks shall be, and to report as early as practicable the result of their deliberation.

Mr. McAdory offered the following resolution, which was adopted :

Resolved, That the Committee on Education consider the propriety of submitting a new educational law, and report to this House as early as practicable.

Mr. Kennedy offered the following resolution, which was adopted :

Resolved by the House, That a committee of one from each Congressional District be appointed to inquire into the feasibility of consolidating any two or more of the offices of Tax Assessor, Tax Collector, and Treasurer, of each county, with a view to the more economical collection and disbursement of the taxes, &c., and report by bill or otherwise.

Mr. DeLemos offered the following resolution, which was lost:

Resolved, That the Committee on Education be, and the same is hereby authorized, to report to this House by bill or otherwise, whether it will be beneficial to inaugurate a system of compulsory education in this State.

Mr. Brown offered the following resolution, which was adopted :

Resolved, That the Doorkeeper be, and he is hereby authorized and instructed, to provide chairs for the use of the Pages.

Mr. Stevens, of Dallas, offered the following resolution :

Resolved, That the Committee on Privileges and Elections are hereby requested to inquire into the propriety of reporting a bill revising the election laws of the State.

Mr. Rice moved to amend by way of substitute as follows :

WHEREAS, It is provided by the Constitution of Alabama that "all men are equally free, and independent" and that "the right of suffrage shall be protected by laws regulating elections, and prohibiting, under adequate penalties, all undue influences from power, bribery, tumult, or other improper conduct," and that "the General Assembly shall pass laws not inconsistent with this Constitution, to regulate and govern elections in this State, and all such laws shall be uniform throughout the State." And

WHEREAS, The existing laws regulating elections do not

fully protect the right of suffrage nor prohibit, under adequate penalties, all undue influences, from power, bribery, tumult, or other improper conduct, nor comply with the foregoing requisitions of the Constitution; and

WHEREAS, It is the duty of the General Assembly so to amend the existing laws regulating elections and the right of suffrage, as to carry into full effect the foregoing provisions of the Constitution; therefore

Resolved, That the Committee on the Judiciary be instructed to prepare and report to this House a bill, or bills, which, in the judgment of that committee, will remedy defects in the existing laws, relating to elections and the right of suffrage, and carry into full effect the foregoing constitutional provisions.

Mr. Stevens, of Dallas, accepted the substitute.

Mr. Gere moved to postpone the further consideration of the resolution until 1 p. m. to-morrow, and that it be made the special order for that hour.

Lost.

On motion of Mr. Jolly the further consideration of the resolution was postponed until 11 A. M. to-morrow and made the special order for that hour.

REPORTS FROM STANDING COMMITTEES.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill---

H. R. No. 3. To repeal sub-division 9 of section 7 of the Revenue Code.

The bill was ordered to a third reading; forthwith read the third time and passed—yeas 87, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, Foshée, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens,

of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—87.

Nays---Messrs. Cockrell and Lewis---2.

The Speaker laid before the House a communication from Messrs. Plock & Co. of New York, enclosing the protest of Emile Erlanger & Co. in the matter of the Exchange of bonds of the State of Alabama.

On motion of Mr. McMath, the House adjourned until to-morrow morning 10 o'clock.

SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, November 21, 1876.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Grove, of the House.

On the call of the roll, there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—95.

Journal of yesterday was read and approved.

MESSAGE FROM THE GOVERNOR,

By Mr. Vincent, his private secretary—

EXECUTIVE DEPARTMENT,
November 21, 1876.

Gentlemen of the Senate and of the House of Representatives:

By virtue of an act of the General Assembly, approved 8th March, 1876, entitled an act to provide for the revision, digesting and promulgation of the public statutes of this State of a general nature, I appointed Honorables Wade Keyes and Fern M. Wood as commissioners to perform the duties therein prescribed.

They have to-day submitted to me their report, accompanied with the manuscript of said Code of 1876, including the index to the same, together with their suggestions as to further legislation.

The law requires me to make a careful examination of the work, but it is not practicable for me to do so in time to give the General Assembly an opportunity to make a proper examination of the report and accompanying papers, with a view to the adoption or rejection of the Code presented by the commissioners.

In view of the very great importance of the subject, and the necessity of affording you the fullest opportunity of giving it a deliberate and thorough investigation and examination before and in time for final action at this session, I transmit the report and accompanying papers at once, that you may take the necessary and proper steps in relation thereto.

GEO. S. HOUSTON,
Governor.

BILLS ON SECOND READING.

The bill—

H. R. No. 52. To organize and regulate a system of public instruction for the State of Alabama;

Was read the second time and referred to the Committee on Education, and 200 copies ordered printed.

The bills—

H. R. No. 53. To amend subdivision 8 of section 4 of chapter 3 of an act entitled an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 55. To amend section 8 of chapter 7 of the Revenue Code of Alabama;

H. R. No. 60. To amend subdivision 14 section 7, chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

H. R. No. 58. To amend section 7 of chapter 11 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 63. To amend section one of an act to establish, organize and regulate a system of public instruction for the State of Alabama;

Was read the second time and referred to the Committee on Education.

The bills---

H. R. No. 54. To prescribe the time within which appeals may be taken by bill of exceptions;

H. R. No. 56. To authorize Justices of the Peace to foreclose liens and mortgages on personal property;

H. R. No. 57. To regulate trial of misdemeanors in Jefferson county, Alabama;

H. R. No. 59. To amend section 4363 of the Revised Code;

H. R. No. 64. To amend an act to provide for the impeachment and removal from office of the officers mentioned in section 2 and section 3 of article 7 of the Constitution of Alabama, approved March 7, 1876;

H. R. No. 65. To amend section one of an act to regulate the term of service of jurors, approved March 15, 1875;

H. R. No. 70. To regulate the terms of Circuit Courts of St. Clair county, in the 12th Judicial Circuit of Alabama;

H. R. No. 71. To amend section 774 of the Revised Code;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 61. To amend section 1323 of the Revised Code;

Was read the second time.

Mr. Cunningham, of Lauderdale, moved to amend by striking out "sixty" and inserting "forty-five;"

The bill with the amendment, was referred to the Committee on Public Roads and Highways.

The bill—

H. R. No. 62. To require the registration lists of voters to be closed twenty days before election day;

Was read the second time.

Mr. Glennon moved to amend by striking out "20" and inserting "10."

Mr. Crews moved to amend by adding the following:

Provided, however, that any male inhabitant of this State who is not twenty-one years of age twenty days before any election in this State, but who will be twenty-one on or before the said day of election, shall be permitted to register, on making affidavit before the registrar, that he will be twenty-one years of age on the day of election, and also taking the oath prescribed by law for electors."

The bill with amendments, was referred to the Committee on Privileges and Elections.

The bills—

H. R. No. 66. To repeal section 34 of an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved 3d March, 1875;

H. R. No. 67. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875;

Were severally read the second time and referred to the Committee on Privileges and Elections.

The bills—

H. R. No. 68. To repeal an act to compromise the debts of any county in this State, whose obligations are worth less than-par value, approved March 6, 1876;

H. R. No. 69. To regulate the payment of debts existing against any county in this State contracted prior to the 16th day of November, 1875;

Were severally read the second time and referred to the Committee on Finance.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 21, 1876.

Mr. Speaker:

The Senate has adopted Senate joint resolution to appoint a committee to divide the State into convenient chancery divisions, as provided for in section 7 article 6, of the Constitution.

Also, Senate joint resolution—

To create a joint committee to inquire into the propriety of reducing fees and salaries of officers, and consolidating offices in this State;

And has passed Senate bill—

s. No. 1. To define the subordinate officers of the General Assembly, and to provide for their election, appointment and compensation;

And has adopted House joint resolution—

H. R. No. 30. To raise a joint committee, to whom shall be referred that part of the Governor's message relating to immigration.

Committee on the part of the Senate: Messrs. Robinson, Brooks and Sherrod.

Also, House joint resolution—

H. R. No. 16. To appoint a joint committee to visit and inspect the penitentiary.

Committee on the part of the Senate: Messrs. Billups and Bankhead.

J. M. CARMICHAEL,
Secretary.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the House proceeded to the consideration of the special order for this hour, it being the substitute of Mr. Rice.

On motion of Mr. Denson, the substitute was laid on the table—Yeas 80, nays 18.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—80.

Nays—Messrs. Baldwin, Baxter, Beers, Booth, Blevins,

Cashin, Cockrell, DeLemos, Gilmer, Harris, Johnston, Lewis, Mayberry, Manasco, of Winson, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry—18.

SENATE MESSAGES.

The Senate bill—

s. No. 1. To define the subordinate officers of the General Assembly, and to provide for their election, appointment and compensation;

Was read once and ordered to a second reading on tomorrow.

The House concurred in the following Senate joint resolutions:

s. No. 11. To create a joint committee to inquire into the propriety of reducing the fees and salaries of officers, and consolidating offices in this State;

s. No. 14. To appoint a joint committee to divide the State into convenient chancery divisions, as provided for in section 7 of article 6, of the Constitution.

The Speaker announced the following committees:

On the joint committee to divide the State in eight judicial circuits: Hobson, of the first district; Rice, of second; Jolly, of third; Harrington, of fourth; Betts, of fifth; Glennon, of sixth; Gere, of seventh; McKleroy, of eighth; Denson, of ninth; Taylor, of tenth; Cunningham, of Lauderdale, of eleventh, and Allen, of twelfth.

On the resolution of Mr. Kennedy—

Messrs. Kennedy, Muldon, Kirkland, Darden, Forwood, Jackson and Goldthwaite.

On the resolution of Mr. Jolly—

Messrs. Jolly, Cunningham, of Lauderdale, Griffin, Hansburger and Dillon.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced:

By Mr. Crews—

H. R. No. 72. To amend section 4397 of the Revised Code.

By Mr. Crump—

H. R. No. 73. To form the new county of Cullman out of portions of Blount, Winston and Morgan, and to provide for the organization of said county.

By Mr. Gilchrist—

H. R. No. 74. To appoint precinct assessors to assess the State and county taxes.

By Mr. White—

H. R. No. 75. To amend section one of an act for the relief of persons having but one arm, or but one leg, and all others who labor under physical disability, of earning a livelihood by labor.

By Mr. Gray—

H. R. No. 76. To repeal an act to amend section 1321 of the Revised Code, and for other purposes, approved March 3, 1870.

By Mr. Forwood—

H. R. No. 77. To amend section 7 of chapter 9 of the Revenue Code of Alabama.

By Mr. Stevens, of Coffee—

H. R. No. 78. To make defendants in proceedings to keep the peace competent witnesses in their own behalf.

By Mr. Harrington—

H. R. No. 79. To require circuit judges to open their courts on the first day of their terms, at 10 o'clock A. M., and after organizing them, proceed at once to dispose of their dockets.

By Mr. Hudson—

H. R. No. 80. To provide for the levying of a special tax by county commissioners.

By Mr. Doster—

H. R. No. 81. To establish and create liens of blacksmiths for work done on farming implements.

By Mr. Stevens, of Dallas—

H. R. No. 82. To prohibit the disposing of agricultural products between the hours of sunset and sunrise.

By Mr. Titcomb—

H. R. No. 84. The more efficiently to provide for the payment of officers' fees in certain cases.

Also,

H. R. No. 85. For the protection of the timber interests of the State of Alabama.

By Mr. Dean—

H. R. No. 86. To amend section 2928, and of the Revised Code.

By Mr. McDuffie—

H. R. No. 87. To repeal an act requiring the Justices of the Peace of Geneva and Randolph counties to act as apportioners and supervisors of public roads in their respective beats, so far as the same applies to Geneva county.

By Mr. Jolly—

H. R. No. 88. To amend section 4397 (3800) of the Revised Code.

By Mr. McAdory (with petition)—

H. R. No. 89. To create a new county to be called the county of Houston.

By Mr. Cunningham, of Lauderdale—

H. R. No. 90. To prevent persons from passing through or entering upon the farm of another.

By Mr. Betts—

H. R. No. 91. To construe acts prohibiting the sale, &c., of vinous, spirituous or malt liquors in certain cases.

By Mr. Fletcher—

H. R. No. 92. To repeal an act to authorize and regulate the partition of crops among tenants, in common or joint owners therein, &c.

By Mr. George—

H. R. No. 93. To amend the title of an act to regulate the granting of licenses to retail vinous or spirituous liquors in this State.

By Mr. Cashin—

H. R. No. 94. To repeal an act to amend section 23 of an act to regulate elections in the State of Alabama.

By Mr. Hubbard—

H. R. No. 96. To relinquish the right of the State to lands sold for taxes and purchased by the State.

Also,

H. R. No. 97. For the relief of druggists.

Also,

H. R. No. 98. To repeal section 2376 of the Revised Code.

By Mr. Goldthwaite—

H. R. No. 99. To amend section 3386 of the Revised Code.

By Mr. Glenn—

H. R. No. 100. To amend section 3680 of the Revised Code.

By Mr. McMath—

H. R. No. 101. To amend section 3455 (2997) of the Revised Code.

Also,

H. R. No. 102. To repeal the act to prescribe the terms on which married women may take appeals to the Supreme Court.

By Mr. Dillon—

H. R. No. 103. To amend section one of an act, approved 27th January, 1876, entitled an act to amend section 43 of an act to regulate elections in the State of Alabama, approved 3d March, 1875.

Also,

H. R. No. 104. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875, and to repeal an act amendatory thereof, approved March 6, 1876.

By Mr. Ross—

H. R. No. 105. To provide for the punishment of persons convicted of crimes in certain cases;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Stevens, of Dallas, offered—

H. R. No. 83. A joint resolution to appoint a joint committee to wait on the Governor and ascertain the best available way to have per diem of members paid in United States currency.

On motion of Mr. Betts, the resolution was tabled.

Mr. Jolly offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to prepare and report to this House an impeachment bill, in accordance with article 7 of the Constitution of Alabama, at as early a day as practicable.

Mr. Harris offered the following resolution, which was adopted:

Resolved, That the Committee on the Penitentiary are hereby instructed forthwith to inquire whether any of the penitentiary convicts have been improperly or cruelly treated, by any person or persons who have hired or employed any such convict or convicts, and if so, to report the same to this House without unnecessary delay.

Mr. McMath offered the following resolution, which was adopted:

WHEREAS, the obligations of the State of Alabama, issued in pursuance of an act of the General Assembly, entitled an act to provide for the funding of the domestic debt of the State, approved December 19, 1873, are a source of continued loss to the State, its public institutions, officers and people; therefore,

Be it Resolved, That the Committee on Finance be instructed to inquire into the practicability of issuing bonds of the State, to be used for the purpose of retiring said

obligations, and that said committee report by bill or otherwise.

Mr. Cunningham, of Lauderdale, offered the following resolution, which was lost:

Resolved, That the Speaker be authorized, and he is hereby required to appoint a committee of four to take into consideration the feasibility of amending the Constitution so as to extend the magistrates jurisdiction, and reduce exemptions from execution, and make it read so as to be in dollars, and report by bill or otherwise.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from the Judiciary Committee, reported adversely to the resolution---

Authorizing the appointment of an assistant door-keeper for the gallery;

Which was concurred in.

Also, from same committee, reported adversely to the bill---

H. R. No. 13. To repeal an act to amend section 2704 of the Revised Code;

Which was concurred in.

Also, from same committee, reported favorably to the bill---

H. R. No. 17. To repeal an act entitled an act to amend section 1833 of the Revised Code of Alabama, approved April 8, 1873, and to revive and re-enact said original section 1833.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 91, nays 3.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Casnin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields,

Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—91.

Nays—Messrs. Johnston, Lewis, Stephens, of Perry—3.

Also, from same committee, reported favorably to the bill—

H. R. No. 31. To amend section 4029 of the Revised Code of Alabama.

The bill was ordered to a third reading forthwith.

Mr. Cashin moved to reconsider the vote ordering the bill to a third reading.

Lost.

The bill was then read the third time and passed—Yeas 77, nays 12.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welsh, White—77.

Nays—Messrs. Baldwin, Betts, Booth, Blevins, Fletcher, Harris, Johnston, Lewis, Mayberry, Stevens, of Dallas, Stephens, of Perry—12.

Also, from same committee, reported adversely to the bill—

H. R. No. 24. To fix the time of meeting of the biennial sessions of the General Assembly ;

Which was concurred in.

Mr. Herndon, from same committee, reported back to the House the bill—

H. R. No. 41. To extend the time of redemption of land sold for taxes, and asked that it be referred to the Committee on Ways and Means.

The bill was so referred.

Mr. Betts, from the Committee on Ways and Means, reported a substitute for the bill—

H. R. No. 14. For the relief of the medical and legal professions of the State.

The substitute being entitled—

H. R. No. 14. An act to refund license tax in certain cases.

- The substitute was adopted.

Mr. Hubbard moved to amend as follows: Add to section 3 the following: "Provided that the amount to be refunded by the county may be used in payment of the county tax, and the amount to be refunded by the State may be used in payment of tax due the State;"

Which amendment was adopted.

The bill was then ordered to a third reading forthwith, read third time and passed---Yeas 90, nays 2.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White---90.

Nays---Messrs. Blevins, Johnston---2.

On motion of Mr. Blevins, the House adjourned until to-morrow morning 10 o'clock.

EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, November 22, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell,

Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Shields, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welsh, White—90.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Hudson for one day.

BILLS ON SECOND READING.

The bills---

H. R. No. 72. To amend section 4397 of the Revised Code;

H. R. No. 78. To make defendants in proceedings to keep the peace competent witnesses in their own behalf;

H. R. No. 79. To require Circuit Judges to open the courts on the first day of their terms at 10 o'clock A. M., and after organizing them, proceed at once to dispose of their dockets;

H. R. No. 81. To establish and create liens of blacksmiths for work done on farming implements;

H. R. No. 86. To amend section 2928 of the Revised Code;

H. R. No. 88. To amend section 4397 of the Revised Code;

H. R. No. 91. To construe acts, prohibiting the sale, &c. of vinous, spirituous or malt liquors, in certain cases;

H. R. No. 92. To repeal an act to authorize the partition of crops among tenants in common, or joint owners therein, &c.;

H. R. No. 93. To amend the title of an act to regulate the granting of licenses to retail vinous or spirituous liquors in this State;

H. R. No. 97. For the relief of druggists;

H. R. No. 98. To repeal section 2376 of the Revised

Code;

H. R. No. 99. To amend section 3386 of the Revised Code;

H. R. No. 100. To amend section 3680 of the Revised Code;

H. R. No. 101. To amend section 3455 (2997) of the Revised Code;

H. R. No. 102. To repeal an act to prescribe the terms on which married woman may take appeals to the Supreme Court;

H. R. No. 105. To provide for the punishment of persons convicted of crimes in certain cases.;

Were severally read the second time and referred to the Judiciary Committee.

The bills—

H. R. No. 82. To prohibit the disposing of agricultural products between the hours of sunset and sunrise;

H. R. No. 85. For the protection of the timber interests of the State of Alabama;

H. R. No. 90. To prevent persons from passing through or entering upon the farms of another;

Were severally read the second time and referred to the Committee on Agriculture and Commerce.

The bills—

H. R. No. 74. To appoint precinct assessors to assess the State and county taxes;

H. R. No. 75. To amend section one of an act, for the relief of persons having but one arm, or but one leg, and all others who labor under physical disability of earning a livelihood by labor;

H. R. No. 77. To amend section 7 of chapter 9 of the Revenue Code;

H. R. No. 80. To provide for the levying of a special tax by county commissioners;

H. R. No. 96. To relinquish the right of the State, to lands sold for taxes and purchased by the State;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills—

H. R. No. 73. To form the new county of Cullman out of portions of Blount, Winston, and Morgan, and to provide for the organization of said county;

H. R. No. 89. To create a new county to be called the county of Houston;

Were severally read the second time and referred to the

Committee on Counties and County Boundaries.

The bill---

H. R. No. 76. To repeal an act to amend section 1321, of the Revised Code of Alabama, and for other purposes, approved March 3, 1870;

Was read the second time and referred to the Committee on Public Roads and Highways.

The bill---

H. R. No. 84. The more efficiently to provide for the payment of officers in certain cases;

Was read the second time and referred to the Committee on Fees and Salaries.

The bill---

H. R. No. 87. To repeal an act requiring justices of the peace of Geneva and Randolph Counties to act as apportioners and supervisors of public roads, in their respective beats, so far as the same applies to Geneva county;

Was read the second time and referred to the Committee on Local Legislation.

The bills---

H. R. No. 94. To repeal an act to amend section 23 of an act to regulate elections in the State of Alabama;

H. R. No. 103. To amend section one of an act approved 27th January, 1876, entitled an act to amend section 43 of an act, to regulate elections in the State of Alabama, approved 3d March, 1875;

H. R. No. 104. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875, and to repeal an act amendatory thereof, approved March 6th, 1876;

Were severally read the second time and referred to the Committee on Privileges and Elections.

The Senate bill---

s. No. 1. To define the subordinate officers of the General Assembly and to provide for their election, appointment and compensation;

Was read the second time.

Mr. McDonald moved to amend by way of substitute for sections 2, 3, 4, and 5 of the bill.

Amendments were severally offered as follows:

By Mr. Manasco, of Walker---

"Amend 3d section by inserting after the word 'clerk' in the second line, the following: 'shall each receive five dollars.'"

Amend the same section by striking out the word "five"

in the third line, and insert in place thereof the word "four."

Amend the fourth section by inserting after the word pages in the 4th line, the following: "and one messenger."

By Mr. Jolly---

Amend so as to retain the "engrossing and enrolling clerks of the House."

By Mr. Hubbard---

Amend by inserting between the words "and," and "engrossing clerk," the word "an," so as to make the bill read, an enrolling and an engrossing clerk, thereby creating the office of enrolling clerk."

By Mr. DeLemos---

Amend by adding "and one messenger," and that the pay of all officers appointed, or elected, shall be as in the last session."

The bill with the amendments was referred to the Committee on Fees and Salaries.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 22, 1876.

Mr. Speaker :

The Senate has adopted joint resolutions as follows :

Also, Joint resolution—

To create a joint committee of three from each House to examine the offices of State Auditor and State Treasurer. Senate committee, Messrs. Rice, Tait and Howell ;

Joint resolution---

To create a joint committee of the two Houses to examine and report upon the code of laws prepared by Wade Keys and F. M. Wood. Senate committee, Messrs. Seay and Bankhead ;

And has originated and passed the following bills :

s. No. 3. To amend section three of chapter seven of an act to establish a Revenue Code, approved March 6th, 1876 ;

And,

s. No. 29. To amend section 2562 of the Revised Code.

J. M. CARMICHAEL,

Secretary.

The Speaker announced the following committees :

On joint committee to divide the State into convenient chancery districts : Messrs. Hubbard, Jolly, McMath,

Fletcher, and Grove.

On the Senate joint resolution to take into consideration the practicability of consolidating offices of tax assessor, collector, &c.: Messrs. Hansburger, Welsh, Hollis, Townsend, Crump, Shields, McKinstry, Caldwell, Glenn, Ross, Wall, and White.

SENATE MESSAGES.

The Senate bills---

S. No. 3. To amend section three of chapter 7 of an act to establish a Revenue Code, approved March 6, 1876 ;

s. No. 29. To amend section 2562 of the Revised Code ;
Were severally read once and ordered to a second reading on to-morrow.

The House concurred in the following Senate joint resolutions :

To create a joint committee of three from each House to examine the offices of State Auditor and State Treasurer.

To create a joint committee of the two Houses to examine and report upon the code of laws prepared by Wade Keys and F. M. Wood.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Foshee---

H. R. No. 106. To punish persons collecting taxes not authorized by law.

By Mr. Stevens, of Dallas---

H. R. No. 107. To declare a lien in favor of laborers;

By Mr. Dean---

H. R. No. 108. To amend section 1827 of the Revised Code, and otherwise regulate rates of interest in this State;

By Mr. McFarlane---

H. R. No. 109. To amend chapter 2, section 1, subdivision 8 of the Revenue Code;

By Mr. Muldon---

H. R. No. 110. To amend the charter of the Citizens Mutual Insurance Company of Mobile;

By Mr. Stephens, of Perry---

H. R. 112. To amend section 8 of chapter 2 of the Revenue Code;

By Mr. Hubbard—

H. R. No. 113. To prescribe the great seal for the State of Alabama;

By Mr. Taylor, (with evidence of publication of notice as prescribed by law)---

H. R. No. 115. To change the boundary line between the counties of Talladega and Clay in this State;

By Mr. Baker---

H. R. No. 116. To refund money paid for licenses between the 30th day of December, 1875, and the 21st day of March, 1876, by dealers in tobacco, retailers of spirituous, vinous, or malt liquors, livery stable keepers, real estate agents, agents of insurance companies, dentists, physicians, lawyers, druggists, auctioneers, photographers, barbers, and butchers, under section 102 of an act to establish Revenue Laws for the State of Alabama;

By Mr. Betts---

H. R. No. 118. To regulate the assessment of real estate bid in for the State;

By Mr. Stevens, of Coffee---

H. R. No. 119. To carry into effect the provisions of an act for the relief of maimed soldiers:

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Hollis offered the following joint resolution, which was adopted:

H. R. No. 114. *Resolved by the House, the Senate concurring*, That there be a joint committee to consist of three on the part of the House and three upon the part of the Senate, to investigate the propriety of abolishing the office of county superintendent in this State.

Committee on part of the House, Messrs. Hollis, McKleroy, and Titcomb.

By Mr. Mott---

H. R. No. 117. Joint memorial to the Congress of the United States in aid of the New Orleans and Selma railroad company;

Which was read and referred to Committee on Federal Relations.

By Mr. Rice---

H. R. 111. To amend section 29 of an act to regulate elections in the State of Alabama, approved March 3d, 1875;

Which Bill was read once.

Mr. Betts moved to lay the bill on the table.

Mr. Rice arose and asked to be allowed to make a statement to the House of his reasons why the bill should not be laid on the table, admitting that he could not discuss the merits of the bill.

The chair decided that he could not make such statement, pending the motion to table.

Mr. Rice appealed from the decision of the chair.

The question being: Shall the decision of the chair stand as the decision of the House?

The decision of the chair was sustained---Yeas 76, nays 12.

Yeas---Messrs. Allen, Baker, Baxter, Beers, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Shields, Smith, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weathford, Welsh, White---76.

Nays---Messrs. Baldwin, Blevins, Cashin, Cockrell, Harris, Johnston, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry---12.

The motion to table prevailed---Yeas 80, nays 11.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welsh, White---80.

Nays---Messrs. Baldwin, Blevins, Cashin, Cockrell, Johnston, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry---11.

Mr. Harris moved to reconsider the vote by which the bill was laid on the table.

On motion of Mr. McKleroy the motion to reconsider was tabled.

Mr. Harrington offered the following resolution which was adopted :

Resolved, That the Committee on Ways and Means be instructed to inquire into the propriety and practicability of assessing real estate once in three years, instead of as now prescribed by the laws of the State, and that said committee be instructed to report by bill or otherwise.

Mr. Speake offered the following resolution which was adopted :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency and practicability of calling in one hundred thousand dollars of the large bills of the State obligations, and issue in lieu thereof one, two and five dollar bills, and report by bill or otherwise.

Mr. Mayberry offered the following resolution, which was adopted :

Resolved, That the committee appointed to visit the penitentiary be, and the same is hereby required, to inquire of the warden the number of convicts hired, and in the different parts of the State, and if he has any knowledge of their treatment.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from Judiciary Committee, reported a substitute for the bill---

R. R. No. 6. To amend an act entitled an act, to fix the time of holding the circuit courts in the Eleventh Judicial Circuit.

The substitute was adopted, and the bill ordered to a third reading forthwith.

Read the third time and passed---Yeas 83, nays 1.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett,

Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, Welsh, White---83.

Nay---Mr. Cockrell.

Also, from same committee, reported favorably to the bill---

H. R. No. 42. To amend section 956 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 86, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, Welsh, White---86.

Also, from the same committee, favorably to the bill---

H. R. No. 32. To authorize Notaries Public to take acknowledgment and proof of conveyance without seal and to declare the effect of the same.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 77, nays 7.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington,

Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Welsh, White—77.

Nays—Messrs. Blevins, Cashin, Cockrell, Lewis, Mayberry, Stevens, of Dallas, and Stephens, of Perry—7.

Also from the same committee, reported a substitute for the bill—

H. R. No. 27. To amend section 3706 of the Revised Code.

The substitute being entitled—

To amend an act to amend section 3706 of the Revised Code, approved 20th February, 1875.

The substitute was adopted, and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 78, nays 11.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Welsh, White—78.

Nays—Messrs. Baldwin, Blevins, Cashin, Cockrell, Harris, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry—11.

Mr. Forwood, from the Committee on the State Capitol, made a report recommending repairs in certain offices of the Capitol.

On motion of Mr. Betts, the report was referred to the Committee on Appropriations, with instructions to prepare and report a bill to carry into effect the recommendation of the committee.

Mr. Goldthwaite, from the Committee on Fees and Salaries, reported favorably to the bill—

H. R. No. 15. To require Probate Judges to itemize their accounts.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 79, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stephens, of Perry, Titcomb, Ussery, Wall, Welsh, White—79.

Nays—Messrs. Cashin, Cockrell, and Stephens, of Dallas.

Also, from same committee, reported favorably to the bill—

H. R. No. 28. To amend section 1374 of the Revised Code.

On motion of Mr. Shields, the further consideration of the bill was postponed till 11 A. M. to-morrow and made the special order for that hour.

Mr. Brown, from special committee on rules, reported that the committee recommended the adoption of the rules of the last House of Representatives, except Rule 23.

And recommended the following in lieu of said Rule:

No. 23. The Speaker shall appoint committees unless otherwise directed by the House, and no standing committee shall consist of more than eleven members. Five members of the committee shall constitute a quorum.

The report was received and adopted.

Mr. DeLemos moved that 150 copies of the Rules be printed for the use of the House.

Mr. Griffin moved to amend by striking out 150 and inserting 100.

Which, on motion of Mr. Cashin, was laid on the table.

And the motion of Mr. DeLemos carried.

On motion of Mr. Blevins the House adjourned till to-morrow morning at 10 o'clock.

NINTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, November 23, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll, there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh—94.

Journal of yesterday was read and approved.

Messrs. Johnston and Gilmer were granted leave of absence for three days.

The Speaker announced the following additions to the standing committees:

To Judiciary---Messrs. Harrington and Hansburger.

To Corporations---Mr. Hobson.

To Local Legislation---Mr. McMath.

To Fees and Salaries---Mr. Cunningham, of Lauderdale.

BILLS ON SECOND READING.

The bills---

H. R. No. 107. To declare a lien in favor of laborers.

H. R. No. 108. To amend section 1827 of the Revised Code, and otherwise regulate rates of interest in this State.

H. R. No. 113. To prescribe the great seal for the State.
And the Senate bill---

s. No. 29. To amend section 2562 of the Revised Code;
Were severally read the second time and referred to the

Committee on the Judiciary.

The bills---

H. R. No. 112. To amend section eight of chapter two of the Revenue Code.

H. R. No. 116. To refund money paid for licenses between the 30th day of December, 1875, and 21st day of March, 1876, by dealers in tobacco, &c., under section 102 of an act to establish Revenue Laws, approved March 19, 1875.

H. R. No. 118. To regulate the assessment of real estate bid in for the State.

And the Senate bill---

S. No. 3. To amend section 3 of chapter 7 of an act to establish a Revenue Code, approved March 6, 1876;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill---

H. R. No. 109. To amend chapter 2 section one, subdivision 8 of the Revenue Code;

Was read the second time.

Mr. McDonald moved to amend, by way of substitute.

The bill and substitute were referred to the Committee on Ways and Means.

The bill---

H. R. No. 106. To punish persons collecting taxes not authorized by law;

Was read the second time.

Mr. Cashin moved to amend by adding the words, "with intent to defraud."

Lost, and the bill was referred to the Committee on Ways and Means.

The bill---

H. R. No. 110. To amend the charter of the Citizens' Mutual Insurance Company of Mobile;

Was read the second time and referred to the Committee on Corporations.

The bill---

H. R. No. 115. To change the boundary line between the counties of Talladega and Clay, in this State;

Was read the second time and referred to the Committee on Counties and County Boundaries.

The bill---

H. R. No. 119. To carry into effect the provisions of an act for the relief of maimed soldiers, approved March 8, 1876;

Was read the second time and referred to the Committee on Appropriations.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor, was received by the hand of Mr. Vincent, his private secretary :

EXECUTIVE DEPARTMENT,
November 22, 1876.

Gentlemen of the Senate and of the House of Representatives :

I invite your attention to a report of the commissioners to adjust and settle the bonded indebtedness of the State of Alabama, herewith submitted.

The report is presented at this early period of the session, that you may be enabled to take such action at your present session in relation to the eleven bonds referred to, as you may consider necessary.

GEORGE S. HOUSTON,
Governor.

The report is as follows :

OFFICE OF COMMISSIONERS,
Montgomery, Nov. 22, 1876.

To the Governor of Alabama :

The act of 17th December, 1874, provides that the term of service of the commissioners appointed to adjust and liquidate the indebtedness of this State, be limited to two years, and at the expiration of that time we shall be prepared to submit to the General Assembly our final report which will contain a detailed statement of our transaction in the execution of the act of 23d February last.

The funding act makes ample provision for the liquidation of every class of bonds embraced in it, but there have been presented to us eleven bonds of \$1,000 each, dated 1st May, 1833, and due in 1863, for the exchange of which no provision is made, because their existence was unknown to the commissioners or General Assembly at the time the funding act was passed. There is no record showing that they have not been renewed, and until presented to us, we had no knowledge that they were outstanding. As those bonds bear satisfactory evidence of being genuine, we deem it to be our duty to communicate the fact of their

existence before our final report is submitted, so that the General Assembly may have time to provide by law for their liquidation, if deemed just and proper. We respectfully recommend that authority be given to substitute new bonds of Class A, on the terms applicable to other recognized straight bonds.

There is, in our judgment, no necessity for further legislation to secure a full and complete settlement of all the claims embraced in the funding act. The progress which has been made in the execution of the act has been rapid and satisfactory—more so than has attended the efforts of any other State to fund its indebtedness; and, when it is considered that at the time the funding process commenced the bonds of the State were scattered over two continents, our success, so far, gives assurance to the people of Alabama that no apprehension of failure to complete the settlement need be indulged.

In view of the improved financial condition of the State, and the certainty, as we believe, of the execution of the funding act, in all its parts, within a reasonable time, we tender to those whom we represent our sincere congratulations.

Respectfully,

GEO. S. HOUSTON,
LEVI W. LAWLER,
T. B. BETHEA,
Commissioners.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Gilchrist—

H. R. No. 120. To regulate the sales of lands of decedents by the Probate Court.

By Mr. Foshee—

H. R. No. 121. To regulate the publication of legal notices in Chilton county.

By Mr. Harrington—

H. R. No. 122. To consolidate the offices of sheriff and tax collector in the county of Colbert.

By Mr. Stevens, of Dallas—

H. R. No. 123. To repeal an act to secure good and sufficient securities upon the bonds of the county officers of this State.

By Mr. Dean—

H. R. No. 124. To amend section 3609 of the Revised Code.

By Mr. Cunningham, of Lauderdale—

H. R. No. 125. To amend sub-division 18 of section 414 of the Revised Code, in regard to printing comptrollers reports.

Also,

H. R. No. 126. To amend sub-division 8 of section 422 of the Revised Code, in regard to printing treasurers reports.

By Mr. Kennedy—

H. R. No. 127. To allow defendants in certain criminal cases to make statement.

Also,

H. R. No. 128. To allow defendants in certain cases to open and conclude the argument.

By Mr. Ramsey—

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock, or cattle of any kind.

By Mr. Betts—

H. R. No. 130. To facilitate the collection of the State revenue.

By Mr. George—

H. R. No. 131. To amend section 8 chapter 7, Revenue Code of Alabama, approved March 6, 1876.

By Mr. Jackson—

H. R. No. 132. To provide for the substitution of State obligations of a less denomination than now exists by law, as provided in act funding the domestic debt of Alabama, approved December 19, 1873.

By Mr. Hubbard—

H. R. 133. To amend section 3 of an act to secure the payment to the State of United States currency paid to tax collectors and other officers; to provide for setting aside a certain portion of the revenue and the issuance of bonds for the purpose of paying interest on the public debt, approved March 6, 1876.

Also,

H. R. No. 134. To enforce the lien given by law to tenants in common, on crops grown by them, for advances made by them in certain cases.

Also,

H. R. No. 135. To prescribe the fees of constables and of marshals to notaries public, and of sheriffs for services

rendered in courts of notaries public and of justices of the peace.

By Mr. Dillon---

H. R. No. 136. To amend section 1365, of the Revised Code.

Also,

H. R. No. 137. To amend section 811 of the Revised Code.

By Mr. Mott---

H. R. 138. To prohibit judges of probate courts from keeping the books, records, papers, &c., and from performing the duties of their offices in rooms which are used for storing and selling merchandise.

By Mr. Manasco, of Walker---

H. R. No. 139. To amend an act to prevent the use of insulting or vulgar language in the presence of families and females, approved March 15, 1875;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Taylor offered the following resolution, which was adopted:

Resolved, That the clerk of the House be, and he is hereby authorized and directed to transmit two hundred copies of the 16th annual report of the Alabama Institution for the Deaf, Dumb and Blind to the principal of that institution, for the use and benefit of said institution.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the House proceeded to the consideration of the special order for this hour, it being the bill—

H. R. No. 28. To amend section 1374 of the Revised Code.

Mr. Shields moved to amend by striking out the word "ninety," and inserting "one hundred and fifty."

Mr. Manasco, of Walker, offered the following as a substitute for the amendment:

Add after the word sheriff, "and circuit clerk, who shall present their claims for ex-officio services on oath to the commissioners court for allowance, and shall receive reasonable pay for the same, not to exceed ninety dollars in any one year.

On motion of Mr. Ramsey, the amendment and substitute were laid on the table.

The bill was ordered to a third reading, read the third time and passed—yeas 80, nays 6.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall—80.

Nays—Messrs. Cockrell, Gilchrist, Hudson, Prowell, Shields, Stephens, of Perry—6.

CALL OF THE COUNTIES CONTINUED.

Mr. Goldthwaite presented a petition from numerous citizens of Pike county, praying for the repeal of sections 1858, 1859 and 1860 of the Revised Code, (known as the crop lien law).

The petition was read and referred to the Committee on Agriculture and Commerce.

Mr. Brown offered the following joint resolution, which was adopted:

H. R. No. 140. *Resolved by the House*, (the Senate concurring), That a joint committee, consisting of three from the House and two from the Senate, be appointed to take into consideration the propriety of amending section 49 of the Revised Code, with regard to the number of miles for which members are entitled to receive mileage.

Committee on the part of the House—Messrs. Brown, Fletcher and Robinson.

Mr. Baldwin offered the following resolution, which was adopted:

WHEREAS, there now exist in this State a general complaint about the manner in which our jails are kept, and whereas, this rumor asserts that the prisoners are improperly cared for; therefore, be it

Resolved, That the Committee on Ways and Means be

instructed to report a bill as early as practicable, remedying the defect in the law.

On motion of Mr. Betts, the vote by which the resolution was adopted, was reconsidered.

Mr. Hobson moved to amend by inserting the words, "if the committee find there exists such a state of facts as indicated in the preamble."

Adopted.

Mr. Muldon moved to amend by striking out the words, "ways and means," and inserting "public buildings and institutions."

Adopted.

Mr. McKleroy moved to amend by striking out the preamble.

Mr. Cashin moved to lay the amendment on the table.

On motion of Mr. Griffin, the resolution was laid on the table.

EXECUTIVE MESSAGES.

The Governor's message, transmitting the report of the commissioners to adjust the State debt, was read and referred to the Committee on Finance.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 23, 1876.

Mr. Speaker :

The Senate has adopted the following joint resolutions:

A joint resolution requesting the Committees of Finance and Taxation of the Senate, and Ways and Means of the House, to perform certain duties in relation to revenue laws;

And,

A joint resolution to raise a joint committee of two from the Senate, and three from the House to examine and report upon the laws requiring the registration of electors in this State.

Committee on part of the Senate---Messrs. Brooks and Armstrong.

Also,

A joint resolution to appoint a joint committee of two from the Senate and three from the House to visit the Insane Asylum at Tuscaloosa.

Committee on part of the Senate, Messrs. Hargrove and

Rice.

And has originated and passed the following bills :

s. No. 12. To amend an act to authorize the construction of a breakwater in the bay and harbor of Mobile, and to incorporate certain persons therein named, for that purpose, approved March 6, 1876.

And,

s. No. 37. To incorporate an educational association, to be called and known as the Andrew's Institute, in DeKalb county.

J. M. CARMICHAEL,
Secretary.

SENATE MESSAGES.

The Senate bills---

s. No. 12. To amend an act to authorize the construction of a breakwater in the bay and harbor of Mobile, and to incorporate certain persons therein named for that purpose, approved March 6, 1876.

s. No. 37. To incorporate an educational association, to be called and known as the Andrew's Institute, in DeKalb county ;

Were severally read once and ordered to a second reading on to-morrow.

The House concurred in the Senate joint resolution--

To raise a joint committee of two from the Senate and three from the House, to examine and report upon the laws requiring the registration of electors in this State.

The Senate joint resolution to appoint a joint committee of two from the Senate and three from the House, to visit the Insane Asylum at Tuscaloosa, was read.

Mr. Harrington moved to amend by making the committee consist of one from the Senate and two from the House.

Adopted.

Mr. Brown moved to amend by adding, " And that said committee be instructed to visit the State University. Adopted.

The resolution was then adopted as amended.

The Senate joint resolution requesting the Committees of Finance and Taxation of the Senate, and Ways and Means of the House, to perform certain duties in relation to revenue laws, was read.

Mr. Betts moved to amend by adding the following:

"And that said committee be specially instructed to inquire whether the railroad property within the State is assessed at its proper value, and whether the law regulating such assessment requires any amendment, and report by bill or otherwise;

The amendment was adopted, and the resolution as amended, was concurred in.

REPORTS FROM STANDING COMMITTEES.

Mr. Jolly, from the Judiciary Committee, reported favorably, with amendment, to the bill---

H. R. No. 8. To amend section 3733 of the Revised Code.

Amend by inserting the words, "and wilfully" after the word, "unlawfully," in section 1.

The amendment was adopted.

Mr. Hubbard moved that the bill be engrossed for a third reading on to-morrow.

Lost.

On motion of Mr. Rice, the bill was laid on the table.

Mr. Jolly, from same committee, reported favorably, with amendment, to the bill---

H. R. No. 44. To amend an act to create and provide for the punishment of the crime of seduction, approved March 15, 1875.

Amend by striking out the word, "two," in section 1, 18th line, and inserting in lieu thereof, "one."

Mr. Blevins moved to lay the amendment on the table.

Lost.

The amendment was adopted.

Mr. Hobson moved to amend by adding the following: "That grand juries shall have discretionary powers as to presenting bills, under this act."

The amendment was lost.

Mr. Rice moved to amend by adding after the word "no," and before the word "conviction," the following: "Indictment or."

Adopted.

The bill was then ordered to a third reading forthwith, read third time and passed---Yeas 92.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump,

Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh---92.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 51. To repeal an act to prevent woods burning in Washington county, approved February 10, 1875.

On motion of Mr. Denson, the further consideration of the bill was postponed and made the special order for 12 M. to-morrow.

Also, from the same committee, reported favorably to the bill—

H. R. No. 26. To repeal an act to prohibit the sale or giving away of vinous liquors within one and a half mile of Macedonia, Forrester's Chapel and Mount Zion churches, and also within two miles of Mount Morris church, all in Randolph county, approved February 13, 1875, so far as relates to Mount Morris church. (The bill being accompanied by evidence of publication of notice, as prescribed by law.)

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 88, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Hollis, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winson, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rob-

inson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh—88.

Nays---Mr. Harris---1.

Mr. Jolly, from special committee to inquire into the propriety of appointing clerks to committees, reported that in the judgment of the committee, only the Judiciary Committee required a clerk, and recommended that said clerk be paid four dollars per day.

The report was referred to the Committee on Fees and Salaries.

On motion of Mr. Blevins, the House adjourned until to-morrow morning 10 o'clock.

TENTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, November 24, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White—93.

Journal of yesterday read and approved.

The Speaker announced the following committees:

On the joint committee to consider the registration law, Messrs. Hubbard, Kennedy, Hobson.

On the joint committee to visit the Asylum and State University, Messrs. Jackson and Cunningham, of Monroe.

BILLS ON SECOND READING.

The bills—

H. R. No. 120. To regulate the sales of lands of decedents by the probate court.

H. R. No. 123. To repeal an act to secure good and sufficient sureties upon the bonds of the county officers of this State.

H. R. No. 124. To amend section 3609 of the Revised Code.

H. R. No. 127. To allow defendants in certain criminal cases to make statement.

H. R. No. 128. To allow defendants in certain cases to open and conclude the argument.

H. R. No. 134. To enforce the lien given by law to tenants in common on crops grown by them, for advances made by them in certain cases.

H. R. No. 135. To prescribe the fees of constables and of marshals to notaries public, and of sheriffs for services rendered in courts of notaries public and of justices of the peace.

H. R. No. 137. To amend section 811 of the Revised Code.

H. R. No. 136. To amend section 1365 of the Revised Code.

H. R. 138. To prohibit judges of probate courts from keeping the books, records, papers, &c., and from performing the duties of their offices in rooms which are used for storing and selling merchandise.

H. R. No. 139. To amend an act to prevent the use of insulting or vulgar language in the presence of families and females, approved March 15, 1875;

Were severally read the second time and referred to the Judiciary Committee.

The bills—

H. R. No. 125. To amend subdivision 18, of section 414 of the Revised Code, in regard to printing comptroller's reports.

H. R. No. 126. To amend subdivision 8, of section 422 of the Revised Code, in regard to printing treasurer's re-

ports;

Were severally read the second time and referred to the Committee on Public Printing.

The bill—

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock, or cattle of any kind;

Was read the second time and referred to the Committee on Corporations.

The bills—

H. R. No. 132. To provide for the substitution of State obligations of a less denomination than now exists by law, as provided in act funding the domestic debt of Alabama, approved December 19, 1873.

H. R. No. 133. To amend section 3 of an act to secure the payment to the State of United States currency, paid to the tax collectors and other officers, to provide for setting apart a certain portion of the revenue, and the issuance of bonds for the purpose of paying interest on the public debt, approved March 6, 1876;

Were severally read the second time and referred to the Committee on Finance.

The bills—

H. R. No. 122. To consolidate the offices of sheriff and tax collector in the county of Colbert.

H. R. No. 131. To amend section 8, chapter 7 of the Revenue Code of Alabama, approved March 6, 1876.

H. R. No. 130. To facilitate the collection of the State Revenue;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 121. To regulate the publication of legal notices in Chilton county;

Was read the second time and referred to the Committee on Local Legislation.

The Senate bill—

s. No. 12. To amend an act to authorize the construction of a breakwater in the bay and harbor of Mobile, and to incorporate certain persons therein named, for that purpose, approved March 6, 1876;

Was read the second time and referred to a special committee, consisting of the Mobile delegation.

The Senate bill—

s. No. 37. To incorporate an educational association, to

be called and known as the Andrew's Institute, in DeKalb county;

Was read the second time and referred to the Committee on Education.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced:

By Mr. Foshee (with petition)—

H. R. No. 141. To authorize Jesse B. Hardy, of Chilton county, to practice medicine.

By Mr. Welch—

H. R. No. 142. To construe and amend section 8, of chapter 7 of the Revenue Code, approved March 6, 1876.

By Mr. Titcomb—

H. R. No. 143. To repeal an act to authorize the court of county commissioners of Escambia county to levy and collect a special tax for county purposes.

By Mr. Hobson—

H. R. No. 144. To amend section 2239 of the Revised Code.

Also,

H. R. No. 145. To amend section 2196 of the Revised Code.

By Mr. Prowell—

H. R. No. 146. To amend section 3724 of the Revised Code.

By Mr. Cashin—

H. R. No. 147. To repeal an act to amend section 91 of an act to regulate elections in the State of Alabama, approved March 3, 1875, approved February 29, 1876.

By Mr. Griffin (with evidence of publication of notice, as prescribed by law)—

H. R. No. 148. To prohibit the sale or otherwise disposing of intoxicating beverages within one mile of the court house in Marshall county;

Which bills were severally read once, and ordered to a second reading on to-morrow.

Mr. Glennon offered the following joint resolution, which was adopted:

WHEREAS, there is considerable controversy and conflict of opinion as to what are local or special laws inhibited by the Constitution, and whether an act pertaining to a single county is so inhibited or not; therefore be it

Resolved by the House, the Senate concurring, That the

matter be referred to a joint committee, consisting of the Judiciary Committees of the House and Senate, with instructions to report as soon as practicable.

Mr. Harrington; offered the following resolutions, which were severally adopted:

Resolved, That the Judiciary Committee be instructed to take into consideration the propriety of reducing the costs in chancery courts of the State, and report by bill or otherwise.

Resolved, That the Judiciary Committee be instructed to take into consideration the propriety of giving the county courts of the State chancery jurisdiction, in all amounts of one hundred dollars and under, and report by bill or otherwise.

REPORTS FROM STANDING COMMITTEES.

Mr. Jackson, from the Committee on Public Roads and Highways, reported adversely to the bill—

H. R. No. 34. To amend section 1324 of the Revised Code;

Which was concurred in.

Also, from same committee, reported favorably, with amendment, to the bill—

H. R. No. 61. To amend section 1323 of the Revised Code.

Amend by striking out "sixty," and inserting in lieu thereof, "forty-five."

The amendment was adopted.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 73, nays 13.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch, White—73.

Nays---Messrs. Baldwin, Cashin, Denman, Denson, Gullett, Harris, Jolly, Lewis, Mayberry, McAdory, Rice, Stephens, of Perry, Ussery---13.

Mr. Gere, from the Committee on Agriculture and Commerce, reported adversely to the bill—

H. R. No. 82. To prohibit the disposing of agricultural products between the hours of sunset and sunrise ;

Which was concurred in.

Also, from same committee, reported favorably, with amendment, to the bill—

H. R. No. 36. To prevent any person from employing the agricultural laborers of another.

Amend by inserting the word "written," before the word "contract," in 4th line, section 1.

The amendment was adopted.

The bill was ordered to a third reading forthwith, read the third time, and on motion of Mr. DeLemos, laid on the table.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 24, 1876.

Mr. Speaker :

The Senate has originated and passed the following bills—

s. No. 36½. To amend an act to regulate the trials of misdemeanors in Lauderdale county, approved March 7, 1876.

s. No. 41. To amend sections 2662 and 2664 of the Revised Code.

s. No. 50. To repeal an act entitled an act in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, approved March 27, 1873, so far as the same relates to the counties of Chambers, Cherokee, Etowah and Barbour.

J. M. CARMICHAEL,
Secretary.

SENATE MESSAGES.

The Senate bills—

s. No. 36½. To amend an act to regulate the trials of misdemeanors in Lauderdale county, approved March 7, 1876.

s. No. 41. To amend section 2662 and 2664 of the Re-

vised Code.

s. No. 50. To repeal an act in relation to the fine and forfeiture fund of Tuscaloosa county and other counties therein named, approved March 27, 1873, so far as the same relates to the counties of Chambers, Cherokee, Etowah and Barbour counties;

Were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

The hour of 12 o'clock M. having arrived, the House proceeded to the consideration of the special order for this hour, viz.,

The bill—

H. R. No. 51. To repeal an act to prevent woods burning in Washington county, approved February 10, 1875.

On motion of Mr. Denson, the bill was referred to the Judiciary Committee, with instructions to inquire into the question as to whether such bills require notice as prescribed in the Constitution.

By leave, Mr. Betts offered the following resolution:

Resolved, That it shall not be obligatory upon the chairmen of the several standing committees of this House to present the adverse reports, ordered by their committees upon bills or resolutions which have been referred to them, except when demanded by a member of the House.

On motion of Mr. Harris, the resolution was laid on the table.

Mr. Cunningham, of Monroe, offered the following resolution:

Resolved, That in order that the entire House may better hear and understand the explanations of the chairmen of the several standing committees in submitting their reports, that they be required when making their reports to stand in the central isle, at a table or desk, to be provided by the door-keeper for said purpose.

Mr. DeLemos moved to amend by inserting the words, "if they desire to do so."

On motion of Mr. Lewis, the resolution was laid on the table.

Mr. Hubbard, offered the following resolution, which under the rules, lies over one day:

Resolved, That when a bill has been amended in any particular, said bill shall be engrossed before being put

upon its passage, unless otherwise ordered by two thirds of the members present.

On motion of Mr. Blevins, the House adjourned until to-morrow morning 10 o'clock.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, November 26, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White---94.

Leave of absence was granted Mr. Denson for one day on account of sickness.

Also, to Mr. Kelly for one day.

BILLS ON SECOND READING.

The bills---

H. R. No. 141. To authorize Jesse B. Hardy, of Chilton county, to practice medicine;

H. R. No. 148. To prohibit the sale or otherwise disposing of intoxicating beverages within one mile of the courthouse in Marshall county ;

Were severally read the second time and referred to the Committee on Local Legislation.

The bills—

H. R. No. 142. To construe and amend section eight of chapter 7 of the Revenue Code, approved March 6, 1876;

H. R. No. 143. To repeal an act to authorize the court of county commissioners of Escambia county to levy and collect a special tax for county purposes;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills—

H. R. No. 144. To amend section 2239 of the Revised Code;

H. R. No. 145. To amend section 2196 of the Revised Code;

H. R. No. 146. To amend section 3724 of the Revised Code;

And the Senate bills—

s. No. 41. To amend sections 2662 and 2664 of the Revised Code;

s. No. 36½. To amend an act to regulate the trial of misdemeanors in Lauderdale county, approved March 7, 1876;

Were severally read the second time and referred to the Committee on Judiciary.

The bill—

H. R. No. 147. To repeal an act to amend section ninety-one (91) of an act to regulate elections in the State of Alabama, approved March 3, 1875, approved February 29, 1876;

Was read the second time and referred to the Committee on Privileges and Elections.

The Senate bill—

s. No. 50. To repeal an act entitled an act in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, approved March 27th, 1873, so far as the same relates to the counties of Chambers, Cherokee, Etowah and Barbour;

Was read the second time.

Mr. Gray moved to amend by repealing the act also as to the county of Choctaw;

Adopted.

The title was amended to correspond and the bill referred to the Committee on Fees and Salaries

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced:

By Mr. Brodnax—

H. R. No. 150. To prohibit the taking of fish from artificial ponds or lakes, belonging to other persons, and to provide a punishment for any violation of the same.

By Mr. Bishop—

H. R. No. 151. To regulate the number of persons drawn to serve as grand and petit jurors for the county of Marion;

By Mr. Rice—

H. R. No. 152. To amend sub-division 8 of chapter 2 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

By Mr. Hubbard—

H. R. No. 153. To authorize the continued prosecution of, and final disposition of a suit in chancery, pending in the Second District of the Southern Chancery Division, wherein James R. Powell, Urbane L. Jones, and others are complainants in relation to the swamp and overflowed lands;

By Mr. Jones---

H. R. No. 154. To amend an act to authorize the commissioners court of Russell county to appoint a board of finance, and to issue the bonds of said county for payment of the indebtedness thereof;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Goldthwaite offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to inquire whether or not any change is necessary in section 2654 of the Revised Code, and report by bill or otherwise.

Mr. Jolly presented the petition of the Mayor and Board of Aldermen of the City of Birmingham, asking for an amendment to the Revenue law, so as to include the city of Birmingham in the exception in section 7 of chapter eleven (11) of the Revenue Code, and also submitted evidence of publication of notice of intention to apply for the passage of an act to amend said section as prayed for.

The petition with accompanying papers was referred to the Committee on Ways and Means.

By Mr. Ussery---

H. R. No. 155. Joint memorial of the General Assembly

of Alabama, to Congress of United States, praying for an amendment of the Homestead Law ;

Which was read and referred to the Committee on Federal Relations.

REPORTS FROM STANDING COMMITTEES.

Mr. Hollis, from the Committee on Public Roads and Highways, reported favorably to the bill---

H. R. No. 76. To repeal an act entitled an act to amend section 1321 of the Revised Code of Alabama, and for other purposes, approved March 3d, 1875.

Mr. Rice moved to amend by striking out the exception in amending clause of the bill, commencing with the word "except" and including the word "State."

Pending the consideration of which, on motion of Mr. Griffin, the further consideration of the bill was postponed and made the special order for 11 A. M. Monday.

Mr. Cunningham, of Lauderdale, from the Committee on Public Printing, reported favorably to the bill---

H. R. No. 125. To amend sub-division 18 of section 414 of the Revised Code, in regard to printing Comptroller's reports.

On motion of Mr. Jolly the bill was re-committed.

Mr. Goldthwaite, from the Committee of Fees and Salaries, reported favorably with amendments to the Senate bill---

s. No. 1. To define the subordinate officers of the General Assembly and to provide for their election, appointment and compensation :

1st. Amend by striking out the words "an enrolling and engrossing clerk" in 6th and 7th lines of section 1, and inserting "an engrossing clerk, an enrolling clerk ;"

2d. Amend section 3 so as to give the engrossing clerk and the enrolling clerk of the House each five dollars per day ;

3d. Amend 4th section so as to authorize the Speaker of the House to appoint "one messenger" in addition to the three pages ; said messenger be paid two dollars and a half a day ;

4th. Amend section 6th by adding thereto : "and also for the employment of additional clerical assistance whenever the business of each House may require it, and the clerks so employed shall receive four dollars per day, for the time actually employed, to be certified as other offi-

cers;”

The amendments were considered seriatim.

First amendment was adopted.

Mr. Griffin moved to amend 2d amendment by striking out “five” and inserting “four.”

Lost.

Second amendment adopted.

Mr. Speake moved to amend 3d amendment so as to make the pay of the messenger and the pages two dollars per day.

Mr. Baldwin moved to amend the amendment so as to give the messenger two dollars and a half a day.

Mr. Cashin moved to lay the amendments on the table.

Lost.

The amendment of Mr. Baldwin was adopted, and the amendment as amended was adopted.

Third amendment as amended was then adopted.

Fourth amendment adopted.

Mr. Speake moved to amend section 3 so as to make the pay of the door-keeper of Senate and House, each, “four dollars” per day.

Adopted.

Mr. Speake moved to amend section 5, so as to make the pay of the servants for each House “two dollars” per day.

Mr. Blevins moved to lay the amendment on the table.

Lost.

And the amendment was adopted.

Mr. Jolly moved to amend section 6, so as to make the pay of committee clerks “four dollars” per day.

Adopted.

Mr. Brown moved to amend section 5, so as to authorize the employment of one servant for the Senate and two for the House.

Adopted.

The bill was then ordered to a third reading forthwith, read the third time and passed—Yeas 87, nays 5.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hob-

son, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winscon, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Townsend, Ussery, Wall, Weatherford, Welsh, White---78.

Nays—Messrs. Cashin, Cockrell, Hudson, Rice, Stephens, of Perry—5.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 25, 1876.

Mr. Speaker :

The Senate has concurred in House joint resolution---

H. R. No. 114. Raising a joint committee to take into consideration the propriety of abolishing county Superintendents.

Committee on the part of the Senate, Messrs. Armstrong, Howell, and Harrison. .

Also, House joint resolution---

H. R. No. 140. Creating joint committee of three from House and two from Senate to fix mileage.

Committee on the part of the Senate, Messrs. Dunklin and Dobbs.

And has concurred in House amendments to Senate joint resolution---

To appoint a joint committee of two from the Senate and three from the House to visit the Insane Asylum and State University at Tuscaloosa.

Also, in House amendment to Senate joint resolution---

Requesting the Committees of Finance and Taxation of the Senate, and Ways and Means of the House to perform certain duties in relation to Revenue laws.

And has originated and passed bills as follows :

s. No. 55. To amend section 3724 of the Revised Code;
Also,

s. No. 47. To amend section 447 of the Revised Code.

J. M. CARMICHAEL,

Secretary.

SENATE MESSAGES.

The Senate bills---

s. No. 47. To amend section 447 of the Revised Code;
 s. No. 55. To amend section 3724 of the Revised Code;
 Were severally read once and ordered to a second reading on to-morrow.

UNFINISHED BUSINESS.

The resolution of Mr. Hubbard in regard to the engrossment of bills was adopted.

REPORT FROM SPECIAL COMMITTEE.

Mr. Shields, from special committee, reported favorably to Senate bill---

s. No. 12. To amend an act to authorize the construction of a breakwater in the bay and harbor of Mobile, and to incorporate certain persons therein named, for that purpose, approved March 6, 1876.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 88, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White---88.

Mr. Jolly offered the following resolution which, under the rule, lies over one day:

Resolved, That section 24 of the Rules of the House be amended so as to read: The Speaker shall vote on all questions, and when the ayes and noes are desired the Speaker shall be first called, and if the House be equally divided the question shall be lost, but no member shall be permitted to give reasons or explanation for his vote.

On motion of Mr. Prowell the House adjourned until Monday morning 10 o'clock.

TWELFTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, November 27, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, White—93.

Journal of Saturday read and approved.

Mr. Beers gave notice that Mr. Kelly's absence from the House was on account of sickness.

Leave of absence was granted Mr. Hudson for one day on account of sickness.

BILLS ON SECOND READING.

The bill—

H. R. No. 150. To prohibit the taking of fish from artificial ponds or lakes belonging to other persons, and to provide a punishment for any violation of the same ;

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bills—

H. R. No. 151. To regulate the number of persons drawn to serve as grand and petit jurors for the county of Marion ;

H. R. No. 153. To authorize the continued prosecution and final disposition of a suit in chancery, pending in the second district of the Southern Chancery Division, wherein James R. Powell, Urbane L. Jones, and others are complainants, in relation to the swamp and overflowed lands ;

And the Senate bills---

s. No. 47. To amend section 447 of the Revised Code ;

s. No. 55. To amend section 3724 of the Revised Code ;

Were severally read the second time and referred to the Committee on Judiciary.

The bill---

H. R. No. 152. To amend sub-division 8 of chapter 2 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876 ;

Was read the second time and referred to the Committee on Ways and Means.

The bill---

H. R. No. 154. To amend an act to authorize the commissioners court of Russell county to appoint a board of finance, and to issue the bonds of said county for the payment of the indebtedness thereof ;

Was read the second time and referred to the Committee on Finance.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. McKleroy—

H. R. No. 156. To repeal an act to prevent solicitors from commencing prosecutions by affidavits made by themselves ;

Also,

H. R. No. 157. To repeal an act to declare the effect upon prosecutions then pending of the repeal of statutes authorizing such prosecutions ;

By Mr. Caldwell—

H. R. No. 158. To amend section 1282 of the Revised Code ;

By Mr. Rodgers—

H. R. No. 159. To punish persons who violate their written contracts in certain cases ;

By Mr. Betts—

H. R. No. 160. To secure the fees of officers of court and solicitors in certain cases;

By Mr. George (with petition)—

H. R. No. 161. To repeal an act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within six miles of Laurel church, in the county of Marengo, as far as it relates to Dixon's mill election precinct;

By Mr. Griffin, (with petition)—

H. R. No. 162. To regulate and define the line between the counties of DeKalb and Marshall;

By Mr. Muldon—

H. R. No. 163. For the more efficient organization of the volunteer militia of Alabama;

By Mr. Beard—

H. R. No. 164. To amend section 1 of an act to protect persons having an interest in personal property, or tenants in common, or part owners thereof, approved February 3d, 1876;

By Mr. Manasco, of Walker---

H. R. No. 165. To amend section 2 of an act to prescribe the mode of giving notice, as required by section 24 of article 4 of the Constitution, approved January 28, 1876;

By Mr. Jolly---

H. R. No. 166. To amend section 3620 of the Revised Code;

By Mr. McAdory---

H. R. No. 167. To amend section 3625 of the Revised Code;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Booth offered the following resolution, which was lost:

Resolved, That the Judiciary Committee be requested to report a bill compelling the tax collectors of this State to serve a written notice upon every person whose lands are advertised for sale for the payment of State and county taxes;

Also offered the following resolution which was referred to the joint committee on the reduction of fees, &c.:

Resolved, That the Judiciary Committee be requested to report a bill to protect the widows and orphans of this State from excessive and exorbitant charges of administrators, guardians, or other persons, in the Probate and Chancery courts.

Mr. McKleroy offered resolution referring separate portions of the Governor's message to appropriate standing committees of the House;

Which was read and adopted.

REPORTS FROM STANDING COMMITTEES.

Mr. Jolly, from the Committee on Corporations, reported favorably with amendment to the bill---

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock or cattle of any kind.

Amend by striking out the words "person or persons, operating and controlling said corporation" where they occur in section 2, 3 and 4, and inserting in lieu thereof the words "or other head thereof, secretary, cashier, or managing, or depot agent thereof."

The amendment was adopted.

Mr. McKleroy moved to amend by striking out fifty dollars in section 1 and inserting one hundred dollars.

Mr. Rice moved to postpone the further consideration of the bill until Wednesday next 12 M., and make it the special order for that hour, and that one hundred copies of the bill be printed.

Mr. Gere called for a division of the question.

The vote being taken on postponement.

Carried.

And the question of printing also carried.

SPECIAL ORDER.

The special order for 11 A. M.; viz.: the bill—

H. R. No. 76. To repeal an act to amend section 1321 of the Revised Code of Alabama, and for other purposes, approved March 3d, 1870, was taken up.

On motion of Mr. Cunningham, of Lauderdale, the further consideration of the bill was indefinitely postponed.

REPORTS FROM COMMITTEES CONTINUED.

Mr. Jolly, from the Committee on Corporations, reported favorably to the bill---

H. R. No. 110. To amend the charter of the Citizens Mutual Insurance Company of Mobile.

(The bill being accompanied by evidence of publication of notice as prescribed by law).

The bill was ordered to a third reading forthwith, read

the third time and passed---Yeas 85, nays 4.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch, White---84.

Nays---Messrs. Cashin, Gilmer, Harris, and Rice---4.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill---

H. R. No. 148. To prohibit the sale or otherwise disposing of intoxicating beverages, within one mile of the court house in Marshall county.

Mr. Manasco, of Walker, moved to amend by striking out the words "intoxicating bitters;"

Which, on motion of Mr. Baldwin, was laid on the table.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 79, nays 15.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Lewis, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---79.

Nays---Messrs. Baldwin, Booth, Blevins, Cashin, Cockrell, DeLemos, Johnston, Mayberry, Manasco, of Walker,

Mott, Muldon, Rice, Shields, Snoddy, Stephens, of Perry---15.

Mr. Forwood, from Committee on State Capitol, made a supplementary report, recommending additional repairs in rooms of Auditor's office.

The report was referred to the Committee on Appropriations.

Mr. Cunningham, of Lauderdale, from the Committee on Public Printing, reported substitutes for the bills---

H. R. No. 125. To amend sub-division 18 of section 414 of the Revised Code, in regard to printing Comptroller's reports;

H. R. No. 126. To amend sub-division 8 of section 422 of the Revised Code, in regard to printing Treasurer's reports;

The substitutes were severally adopted, and the bills ordered to be engrossed for a third reading on to-morrow.

Mr. Brown, from Committee on Local Legislation, returned to the House the bill---

H. R. No. 141. To authorize Jesse B. Hardy, of Chilton county, to practice medicine.

Leave was granted to Mr. Foshee to withdraw the bill.

UNFINISHED BUSINESS.

The resolution of Mr. Jolly amending rule 24 was taken up.

Mr. McKleroy moved to amend by striking out the last clause and inserting in lieu thereof the following:

"And when a vote is being taken by ayes and noes on any question before the House, any member who may not have participated in the debate on such question shall, when his name is called, have the privilege of stating the reasons for his vote, but in so doing shall not occupy more than two minutes of time."

Mr. Lewis moved to lay the amendment on the table.

Lost.

Mr. Harris moved to amend the amendment by striking out "two minutes" and inserting five minutes.

Lost.

Mr. Denson moved to amend by adding thereto "unless by permission of the House."

Adopted.

Mr. DeLemos moved to amend by striking out "two

minutes" and inserting "four minutes."

Lost.

Mr. Rice moved to lay the resolution on the table.

Lost.

Mr. Brown moved to amend by striking out "reasons" and inserting "explanations."

Adopted.

On motion of Mr. Kennedy the further consideration of the subject was postponed and made the special order for Wednesday 11 A. M.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 27, 1876.

Mr. Speaker :

The Senate has passed House bills as follows :

H. R. No. 4. To amend section 2900 of the Revised Code.

Also,

H. R. No. 5. To amend section 4222 of the Revised Code ;

And has concurred in House joint resolution—

H. R. No. 149. Creating the Judiciary Committees of the House and Senate a joint committee to define what are local or special laws as mentioned in the Constitution.

And has originated and passed the following bills :

s. No. 48. To fix the salary of the State Auditor.

s. No. 53. To amend section 1 of an act to incorporate the town of Rockford in the county of Coosa, approved March 25, 1875.

s. No. 11. To amend section 2 of an act to establish the city court of Selma, approved February 8, 1875.

J. M. CARMICHAEL,
Secretary.

The Senate bills---

s. No. 48. To amend section one of an act to incorporate the town of Rockford in the county of Coosa, approved March 20, 1875 ;

s. No. 11. To amend section 2 of an act, to establish the city court of Selma, approved February 8, 1875 ;

s. 48. To fix the salary of the State Auditor ;

Were severally read once and ordered to a second reading on to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 27, 1876.

Mr. Speaker :

The Senate has concurred in the first and fifth House amendments to Senate bill—

s. No. 1. To define the subordinate officers of the General Assembly and to provide for their election, appointment and compensation ;

And refuses to concur in House amendments Nos. 2, 3, 4 and 6 to said Senate bill—

J. M. CARMICHAEL,
Secretary.

On motion of Mr. Baldwin, the House adjourned until to-morrow morning 10 o'clock.

THIRTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, November 28, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denison, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---95.

Journal of yesterday read and approved.

BILLS ON SECOND READING.

The bills---

H. R. No. 157. To repeal an act to declare the effect upon prosecutions then pending, of the repeal of statutes authorizing such prosecution.

H. R. No. 156. To repeal an act to prevent solicitors from commencing prosecutions by affidavits made by themselves.

H. R. No. 159. To punish persons who violate their written contracts in certain cases.

H. R. No. 164. To amend section 1 of an act to protect persons having an interest in personal property, as tenants in common, or part owners thereof, approved February 3, 1876.

H. R. No. 165. To amend section 2 of an act to prescribe the mode of giving notice as required by section 24 of article 4 of the constitution, approved January 28, 1876.

H. R. No. 166. To amend section 3620 of the Revised Code.

H. R. No. 167. To amend section 3625 of the Revised Code.

And the Senate bill—

s. No. 11. To amend section 2 of an act to establish the City Court of Selma, approved February 8, 1875;

Were severally read the second time and referred to the Committee on Judiciary.

The bill—

H. R. No. 158. To amend section 1283 of the Revised Code;

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill—

H. R. 160. To secure the fees of officers of court and solicitors in certain cases.

And the Senate bill—

s. No. 48. To fix the salary of the State Auditor;

Were severally read the second time and referred to the Committee on Fees and Salaries.

The bill—

H. R. No. 161. To repeal an act to prohibit the sale, or otherwise disposing of spirituous or vinous liquors, within six miles of Laurel Church, in the county of Marengo, as far as it relates to Dixon's Mill election precinct;

Was read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 162. To regulate and define the line between the counties of De Kalb and Marshall;

Was read the second time and referred to the Committee on Counties and County Boundaries.

The bill—

H. R. No. 163. For the more efficient organization of the volunteer militia of Alabama;

Was read the second time and referred to the Committee on the Military.

The Senate bill—

S. 53. To amend section 1 of an act to incorporate the town of Rockford, in the county of Coosa, approved March 20, 1875;

Was read the second time, and referred to the Committee on Corporations.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced—

By Mr. Booth—

H. R. No. 168. To protect minor heirs in the State of Alabama.

By Mr. McKleroy—

H. R. No. 169. To enable judges of the Circuit Courts more promptly to dispose of the business of those courts.

By Mr. Weatherford (with evidence of publication of notice as prescribed by law)—

H. R. No. 170. To enable the people of Franklin county to permanently locate the seat of justice of said county.

By Mr. Kennedy—

H. R. No. 171. To amend section 136, Revised Code.

By Mr. Cunningham, of Monroe—

H. R. No. 172. To regulate the sale of lands for the collection of debts secured by mortgages and deeds of trust.

By Mr. Hubbard—

H. R. No. 173. To repeal an act to require registers in chancery and clerks of the Circuit and other Court of civil and chancery jurisdiction to record certain papers therein named and otherwise regulate the safe keeping and use of the same, approved March 6, 1876.

Also,

H. R. No. 174. To reduce the rate of taxation on prop-

erty to fifty cents on the hundred dollars of the value thereof, and at that rate, for State purposes;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. McKleroy offered joint resolution—

H. R. No. 175. Suspending section 6, article 13, of the Constitution for a limited time;

Which was read once and ordered to a second reading on to-morrow.

Mr. Stephens, of Perry, offered resolution instructing Committee on Privileges and Elections to report without delay on the bill to amend certain sections of the election law;

Which, on motion of Mr. Hubbard, was laid on the table.

Mr. Hubbard offered the following resolution:

Resolved, That this House will at the hour of 1 o'clock P. M. this day, proceed to ballot for a United States Senator.

On motion of Mr. Denson, the resolution was amended by striking out 1 P. M. and inserting 12 M., and as amended was adopted.

RECESS.

On motion of Mr. Hubbard, the House took a recess until ten minutes before 12 M.

At ten minutes to 12 the House was called to order.

BALLOT FOR UNITED STATES SENATOR.

The hour of 12 o'clock having arrived, the House proceeded to vote *viva voce* for a Senator to represent the State of Alabama in the Congress of the United States, in the place of the Hon. George Goldthwaite, whose term of office expires on the 4th day of March, 1877.

Mr. Manasco, of Walker, nominated Hon. John T. Morgan, of Dallas county.

Mr. Cockrell nominated Hon. Samuel F. Rice, of Montgomery county.

Mr. Stevens, of Dallas, nominated Mr. Noadiah Woodruff, of Dallas county.

Those who voted for Mr. Morgan are—

Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers,

Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---80.

Those who voted for Mr. Rice are—

Messrs. Baldwin, Booth, Blevins, Cashin, Cockrell, DeLemos, Gilmer, Harris, Johnston, Lewis, Mayberry, Manasco, of Winston, Snoddy, and Stephens, of Perry—14.

Mr. Stevens, of Dallas, voted for Mr. Noadiah Woodruff.

The House next proceeded to the consideration of the message of the Senate on

The Senate bill—

s. No. 1. To define the subordinate officers of the General Assembly, and to provide for their election, appointment and compensation.

Mr. Hubbard moved that the House recede from the amendments in which the Senate refuses to concur.

Lost.

Mr. Prowell moved that the House insist on its amendments, and that a committee of conference be asked for consisting of three on the part of the House and two on the part of the Senate.

Which was carried.

BILLS ON THIRD READING.

The bill—

H. R. No. 125. To amend subdivision 18, of section 414, of the Revised Code, in regard to printing the Comptroller's Reports;

Was read the third time and passed—yeas 90, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump,

Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White
---90.

The bill—

H. R. No. 126. To amend subdivision 8, of section 422, of the Revised Code, in regard to printing Treasurer's Reports;

Was read the third time and passed—yeas 87, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welsh, White---87.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

November 28, 1876.

Mr. Speaker :

The Senate has passed House bills as follows :

H. R. No. 6. To fix the time for holding the courts of the Eleventh Judicial Circuit;

H. R. No. 31. To amend section 4029 of the Revised Code;

And has originated and passed the following bills :

s. No. 81. To arrange and number the districts and to fix the terms of the Courts of the Southern Chancery Division;

s. No. 85. To amend section 2860 of Revised Code.

J. M. CARMICHAEL, Secretary.

The Senate bills—

s. 81. To arrange and number the districts and to fix the terms of the Courts of the Southern Chancery Division;

s. 85. To amend section 2860 of Revised Code;

Were severally read once and ordered to a second reading on to-morrow.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from Judiciary Committee, returned to the House the resolution to call in \$100,000 of larger bills of State obligations and issue bills in smaller sums;

And asked that it be referred to the Committee on Finance.

The resolution was so referred.

Mr. Goldthwaite, from the Committee on Fees and Salaries, reported favorably to

The Senate bill—

s. No. 50. To repeal an act in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, approved March 27, 1873, so far as the same relates to the counties of Chambers, Cherokee, Etowa and Barbour and Choctaw.

The bill was ordered to a third reading forthwith, read the third time, and passed—yeas 84, nays 7.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of

Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---84.

Mr. Hubbard offered the following joint resolution, which was adopted :

Resolved by the House, the Senate concurring, That the two Houses of the General Assembly meet to-morrow at 12 o'clock M., in the hall of the House of Representatives, in joint session, to ascertain the vote cast for United States Senator, and to proceed with the balloting if no election has been made.

SIGNING BILL.

The Speaker, in the presence of the House, and immediately after the title had been read, signed

The Senate bill—

s. 12. To amend an act to authorize the construction of a breakwater in the bay and harbor of Mobile, and to incorporate certain persons therein named for that purpose, approved March 6, 1876.

On motion of Mr. Cashin, the House adjourned until to-morrow morning 10 o'clock.

FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, November 29, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid,

McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titecomb, Townsend, Ussery, Wall, Weatherford, Welch, White—95.

Journal of yesterday read and approved.

The Speaker announced the following as the committee of conference on the part of the House on the Senate bill No. 1 :

Messrs. Prowell, Goldthwaite, and Stevens, of Coffee.

The bills---

H. R. No. 168. To protect minor heirs in the State of Alabama;

H. R. No. 169. To enable judges of the circuit courts more promptly to dispose of the business of the courts;

H. R. No. 171. To amend section 136 of the Revised Code;

H. R. No. 172. To regulate the sale of lands for the collection of debts secured by mortgages and deeds of trust;

H. R. No. 173. To repeal act to require registers in chancery and clerks of the circuit and other courts of civil or chancery jurisdiction, to record certain papers therein named, and otherwise regulate the safe keeping and use of the same, approved March 6, 1876;

And the Senate bills---

s. No. 81. To arrange and number the districts and to fix the terms of the courts of the Southern Chancery Division;

s. No. 85. To amend section 2860 of Revised Code;

Were severally read the second time and referred to the Judiciary Committee.

The bill---

H. R. No. 170. To enable the people of Franklin county to permanently locate the seat of justice of said county;

Was read the second time and referred to the Committee on Local Legislation.

The bill---

H. R. No. 174. To reduce the rate of taxation on property to fifty cents on the hundred dollars of the value thereof, and at that rate, for State purposes;

Was read the second time and referred to the Committee on Ways and Means.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. McDavid—

H. R. No. 176. To consolidate the offices of sheriff and tax collector of Baldwin county;

By Mr. McKleroy—

H. R. No. 177. To regulate the collection of costs in criminal cases in which defendants are sentenced to the penitentiary;

By Mr. Gray (with petition)—

H. R. No. 178. To repeal an act, to fix the time for trial of criminal cases, in circuit court of Choctaw county, approved February 10, 1875;

By Mr. Denman—

H. R. No. 179. To prevent the cutting, falling, or placing timber in any river or its tributary in this State;

By Mr. Harrington—

H. R. No. 180. To amend the act to fix the rate of taxation upon the shares of the national banking associations and savings banks in this State;

Also,

H. R. No. 181. To instruct tax collectors not to collect, or if collected, to refund the tax assessed in 1876 on one horse, mare, or mule, owned by tax payers who did not own one yoke of oxen, as exempt by the Revenue Code;

By Mr. Jolly (with petition)—

H. R. No. 182. To establish a surrogate court for the county of Wilcox;

By Mr. McDonald—

H. R. No. 183. To consolidate the offices of tax collector and sheriff in the county of Lawrence;

By Mr. Fletcher—

H. R. No. 184. To amend section 3314 of the Revised Code;

By Mr. Prowell—

H. R. No. 185.

By Mr. George—

H. R. No. 186. To amend section one of an act, to protect persons having an interest in personal property or tenants in common, or part owners thereof;

By Mr. Muldon—

H. R. No. 187. To regulate the sessions of the city court of Mobile;

By Mr. Hubbard—

H. R. No. 188. To repeal all laws authorizing the collection of a special tax for the purpose of building bridges, so far as the same relates to the county of Pike;

By Mr. McMath (with evidence of publication of notice as prescribed by law)---

H. R. No. 189. To regulate the publication of legal notices in the county of Bibb;

By Mr. Ross---

H. R. No. 190. To regulate sale of State witness certificates;

By Mr. Mott---

H. R. No. 191. To repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox, and Washington, so far as it relates to Washington county;

By Mr. Wall---

H. R. 192. To establish a court of county revenues for Wilcox county;

Whic bills were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

The special order for 11 to-day, viz.: the amendment proposed to rule 24 of the House, was postponed until Friday next, 11 A. M., and made the special order for that hour.

Mr. Stevens, of Dallas, offered joint resolution providing for the adjournment of the two Houses until Friday, December 1st, in order to properly observe Thanksgiving Day, and inviting the Rev. Dr. Hawthorne to deliver a lecture in the Hall of the House of Representatives at 12 M. on to-morrow.

The resolution was lost--Yeas 24, nays 67.

Yeas--Messrs. Allen, Baker, Baldwin, Baxter, Beers, Booth, Blevins, Caldwell, Cashin, Cockrell, DeLemos, Dillon, Gibson, Gilmer, Glennon, Harris, Johnston, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry, and Taylor--24.

Nays--Messrs. Speaker, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Hollis, Holloway,

Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, Welch, and White---67.

Mr. DeLemos offered the following resolution, which was adopted:

Resolved by the House, the Senate concurring, That the Rev. Dr. Hawthorne be, and he is hereby, invited to deliver to the General Assembly a Thanksgiving discourse, November 30th, at 7 P. M.

Mr. Snoddy offered the following resolution, which was referred to the Committee on State Capitol:

WHEREAS, The outhouse attached to the Capitol grounds, for the use of public officers is in a very bad condition, and needs serious renovation, therefore be it

Resolved, That the condition of said house be referred to the Committee on Ways and Means for proper action.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 29, 1876.

Mr. Speaker :

The Senate has adopted joint resolution herewith sent:

For the convening of the two Houses in the hall of the House to-day at 12 M. in joint convention, to ascertain the result of the election held for United States Senator on yesterday, and if no election, to proceed with said election in joint assembly.

J. M. CARMICHAEL,

Secretary.

On motion of Mr. Hubbard the Senate joint resolution just received was taken up and concurred in.

Mr. Booth offered joint resolution providing for the adjournment of the two Houses until Friday, 1st December, in honor of Thanksgiving Day.

On motion its consideration was postponed until 12½ o'clock to-day.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from the Committee on Judiciary, reported favorably to the bill—

H. R. No. 70. To regulate the terms of the circuit court of St. Clair county, in the 12th Judicial Circuit of Alabama;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 89, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glenmon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—89.

Nays—Mr. Blevins—1.

RECESS.

On motion of Mr. Harrington the House took a recess until five minutes to 12.

At five minutes to 12 the House was called to order.

On motion of Mr. Hubbard the clerk was instructed to invite the Senate into the hall of the House.

JOINT CONVENTION.

The hour of 12 o'clock M. having arrived the members of the two Houses convened in the hall of the House in joint convention for the purpose of ascertaining the result of the election held on yesterday for United States Senator, and if no one had received a majority of the votes cast in each House, then to proceed with said election in joint assembly.

The President of the Senate ordered the roll of the Senate to be called.

There were present:

Messrs. President, Armstrong, Bankhead, Billups, Brooks, Chambers, Cunningham, Dobbs, Dunklin, Gordon,

Hargrove, Harris, Harrison, Howell, Johnson, Knox, Little, Lyon, Owen, Padgett, Randolph, Rice, Robinson, Safold, Seay, Sherrod, Slaughter, Tait, Thornton, Torrey, Wood and Wilson, of the Senate—32.

The Speaker of the House ordered the roll of the House to be called.

There were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Sanuders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White, of the House—97.

The Secretary of the Senate and Clerk of the House then read the Journals of yesterday of the respective Houses.

The President of the Senate announced that James L. Pugh had received a majority of the votes cast for United States Senator in the Senate on yesterday.

And the Speaker of the House announced that John T. Morgan had received a majority of the votes cast for United States Senator in the House on yesterday.

The President of the Senate then announced that no one having received a majority of the votes cast in each House on yesterday the joint convention would proceed to vote *viva voce* for a United States Senator, to represent the State of Alabama in the Congress of the United States, in the place of Hon. George Goldthwaite, whose term of office expires on the 4th day of March, 1877.

Mr. Manasco, of Walker, of the House, nominated Hon. John T. Morgan, of Dallas county.

Mr. Knox, of the Senate, nominated Hon. Samuel F. Rice, of Montgomery county.

Mr. Stevens, of Dallas, of the House, nominated Mr.

Noadiah Woodruff, of Dallas county.

Those who voted for Mr. Morgan are:

Messrs. President, Armstrong, Bankhead, Billups, Brooks, Chambers, Cunningham, Dobbs, Dunklin, Gordon, Hargrove, Harrison, Howell, Johnson, Little, Lyon, Padgett, Randolph, Rice, Robinson, Seay, Sherrod, Slaughter, Tait, Thornton, Torrey, Wood, and Wilson, of the Senate---28.

And:

Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White, of the House---83.

Total 111.

Those who voted for Mr. Rice are Messrs. Harris, Knox, Owen, and Saffold, of the Senate---4.

And Messrs. Baldwin, Booth, Blevins, Cashin, Cockrell, Gilmer, Harris, Johnston, Lewis, Mayberry, Snoddy, and Stephens, of Perry, of the House---12.

Total 16.

Mr. Stevens, of Dallas, of the House, voted for Mr. Noadiah Woodruff.

The President of the Senate then declared that the Hon. John T. Morgan having received a majority of all the votes cast, viz: one hundred and eleven, (111) was legally and constitutionally elected Senator to the Congress of the United States from the State of Alabama, for the term prescribed by law.

On motion of Hr. Howell, of the Senate, the joint convention adjourned and the Senate repaired to its chamber.

The hour of 12½ having arrived the joint resolution on adjourning over until Friday was taken up, and on motion of Mr. McKleroy was further postponed until the regular order of business was disposed of---Yeas 54, nays 40.

Yeas---Messrs. Speaker, Baker, Baxter, Betts, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gilchrist, Gullett, Glenn, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Townsend, Ussery, Wall, Welch---54.

Nays---Messrs. Allen, Baldwin, Beers, Bishop, Booth, Blevins, Brodnax, Cashin, Cockrell, Cunningham, of Monroe, Darden, DeLemos, George, Gibson, Gilmer, Goldthwaite, Glennon, Gray, Harris, Hobson, Hudson, Johnston, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Mott, Prowell, Ramsey, Rice, Robinson, Saunders, Shields, Snoddy, Stevens, of Dallas, Stephens, of Perry, Titcomb, Weatherford, White---40.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 29, 1876.

Mr. Speaker:

The Senate has originated and passed the following bills:

s. No. 5. To repeal chapter 7 of title 3 of part 4, and section 3931 of the Revised Code, so far as the same relates to the counties of Dallas and Lee.

J. M. CARMICHAEL,
Secretary.

REPORTS FROM STANDING COMMITTEES.

Mr. McKleroy, from Committee on Education, reported back to the House the Senate bill—

s. No. 37. To incorporate an educational association to be called and known as the Andrews Institute in DeKalb county;

And asked that it be referred to the Committee on Corporations.

It was so referred.

Mr. Jolly, from the Committee on Corporations, reported favorably to the bill—

s. 53. To amend section 1 of an act to incorporate the

town of Rockford, in the county of Coosa, approved March 20, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 82, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—82.

Mr. Brown, from the Committee on Local Legislation, reported adversely to the bill—

H. R. No. 121. To regulate the publication of legal notices in Chilton county;

Which was concurred in.

Also, from the same committee, reported favorably, with amendments, to the bill—

H. R. 87. To repeal an act requiring justices of the peace, of Geneva and Randolph counties to act as apportioners and supervisors of public roads in their respective beats, so far as the same applies to Geneva county.

Amend as follows: By adding the following to the title: "And to re-enact sections 1323, 1324, 1325, 1326 and 1327 of the Revised Code, so far as the same relates to the county of Geneva;"

Amend by additional section as section 2.

The amendments were adopted and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Holloway, from the Committee on Counties and County Boundaries, reported favorably, with amendments, to the bill—

H. R. 115. To change the boundary line between the counties of Talladega and Clay, in this State;

Amend as follows:

In 11th line, section 1, insert the word "Rebecca;"

In 14th line, section 1, insert the words "with its meanderings ;

In 18th line, same section, insert word "blue ;"

Amend by additional sections, to be numbered 2 and 3.

The amendments were severally adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Goldthwaite, from the Committee on Fees and Salaries, reported favorably to the Senate bill—

s. 48. To fix the salary of the State Auditor ;

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 89, nays 1.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Lewis, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—89.

Nays—Mr. Johnston—1.

Mr. Goldthwaite, from same committee, reported favorably, with amendment, to the bill—

H. R. 25. In relation to the feeding of prisoners in jail ;

Amend by striking out "twenty-five cents" and inserting "thirty cents."

On motion of Mr. Denson, the further consideration of the bill and the report were postponed and made the special order for Friday next at 12 M.

ENROLLED BILLS.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bills, and the Speaker, in the presence of the House, after the titles had been publicly read, signed said bills :

H. R. No. 6. To fix the time for holding the courts of the Eleventh Judicial Circuit.

H. R. 31. To amend section 4029 of the Revised Code.

H. R. 4. To amend section 2900 of the Revised Code.

H. R. 5. To amend section 4222 of the Revised Code.

The regular order of business having been finished, the joint resolution on adjourning over until Friday was taken up.

Mr. McKleroy moved to amend by way of substitute, as follows:

WHEREAS, The President of the United States has, by a public proclamation, recommended that the people of these United States shall devote the 30th day of November, 1876, "to the expressions of their thanks and prayers to Almighty God, and laying aside their daily avocations, assemble in their respective places of worship, and observe such day as a day of thanksgiving and rest;" therefore be it

Resolved by the House of Representatives, That when this House adjourns on this day, it stand adjourned until 10 o'clock on Friday, the 1st day of December, proximo.

The substitute was adopted, and the resolution, as amended, was adopted.

On motion of Mr. Ramsey, the bill—

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock or cattle of any kind;

Was made the special order for Wednesday next, 12 M.

By leave, Mr. Gere offered the following joint resolution:

Resolved by the House, the Senate concurring, That the General Assembly do adjourn *sine die* on the 22d day of December next.

Mr. Cockrell moved to refer the resolution to the Committee on Federal Relations.

Mr. Blevins moved to lay the resolution on the table.

Lost—yeas 7, nays 85.

Yeas—Messrs. Beers, Blevins, Brodnax, Cockrell, Lewis, Manasco, of Walker, and Stephens, of Perry—7.

Nays—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshée, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Hollo-

way, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—85.

The motion to refer was lost.

Mr. Betts moved that a joint committee, consisting of five on the part of the House and three on the part of the Senate, be raised, to which shall be referred the resolution of Mr. Gere and all similar resolutions;

The motion prevailed.

Leave of absence was granted Messrs. Jolly, Ramsey and Mayberry until Monday.

The following message from the Governor was received by the hands of Mr. Vincent, his private secretary.

EXECUTIVE DEPARTMENT,
November 29, 1876.

Gentlemen of the Senate and of the House of Representatives:

I trust you will permit me to again invite your attention to the condition of the present revenue law, as well as the receipts of revenue under it.

In my message to you at the beginning of the present session, I stated that the receipts under the act of 1876 would disappoint the friends of the act, and that instead of yielding two hundred thousand dollars more of revenue than the act of 1868, its excess of yield over that act would not exceed "thirty-six thousand three hundred and fifty-three dollars."

The statement and estimate made by me in that message were based upon a table from the Auditor's office, comparing the actual receipts under the act of 1868, with the assessments under the act of 1876, as shown by the abstracts of the probate judges returned to that office.

Since that time the Auditor has discovered that he made a mistake in the preparation of the comparative table spoken of, and that instead of there being an increase of receipts under the present law as compared with the preceding one, it shows a decrease in sixty counties of "eleven thousand five hundred and nine dollars and sixty-three

cents," unless there shall be much larger supplemental assessments than heretofore, and I ask your attention to this condition of things, and the prospects of the accruing revenue, that you may take some proper action in regard to it, with a view to its equalization and improvement.

I invite your attention to the further fact that there is but little revenue received into the treasury from taxes the current year, because of several reasons: First, there is no rebate of the amount, as was the case last fiscal year, nor is there any penalty as there was then. Large numbers of taxpayers who pay large amounts of taxes now have the State money which they are holding to pay their taxes; but as they can hold it until January 1, 1877, and receive from the State interest upon it and incur no penalty, they propose to do it and thereby make interest, while their taxes fall due 1st October preceding, but bear no interest. Hence the State not only loses the interest thus paid upon the State money, but is also deprived of the use of the money at a time when she greatly needs it. The taxpayers who pay small amounts of taxes are the persons who are now paying their taxes, while many of those who pay larger amounts, are holding back the payments, until after 1st of January next, to collect from the State interest upon the money before they pay it to the collector. This, in my judgment, should be looked into and remedied. Section ten of the present revenue law should, in my judgment, be so modified as to require the tax collectors therein referred to, to deposit the revenues collected by them at least twice each month, the precise time to be designated by the Auditor of State under the direction of the Governor, which days may be changed at any time as the Governor may deem necessary for the interests of the State, but in no case to fail to make such deposits as often as once each month, as now required by the act.

Section twelve of said law should also be modified, so as to authorize and empower the Governor, if he should consider such course necessary to advance the interests of the State, to require payments to be made to the Treasurer of the State more frequently than specified in said section.

In illustration of some of the points presented in this message, I ask your careful examination of the table herewith presented, which shows that for the months of October and November, 1875, the collectors of revenue paid into the State Treasury one hundred and seventy-four thousand four hundred and five dollars and sixty-eight

cents, while for the same months of the year 1876, only the sum of fifty-two thousand four hundred and eighty-two dollars and eighty-three cents have been paid into the treasury, and it is but a reasonable conclusion that the payments from now until after the first of January, 1877, will be very small, growing out of the facts already stated.

Reecepts at this rate, I fear, will not furnish money sufficient to meet the various demands upon the State, and I feel that I cannot too strongly urge upon you the necessity of early action in the premises. Certainly there can be objection to requiring such revenue as may be collected to be promptly paid into the treasury that the State may avail of its use in all needful cases.

I regard it as a wise and just policy for the State to withdraw from the receivers of revenue as promptly as may be consistent with right and justice to the parties such moneys as may be in their hands belonging to the State. It thereby relieves the receivers of responsibility which they would gladly avoid or get clear of, and at the same time enable the State to meet its engagements with certainty and promptness.

GEO. S. HOUSTON,
Governor.

On motion of Mr. McMath the House adjourned until Friday morning 10 o'clock.

FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, December 1, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway,

Hubbard, Hudson, Jones, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Rice, Robinson, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—82.

Journal of Wednesday read and approved.

The Speaker announced the following as the committee on the part of the House on the joint resolution to fix the day for the final adjournment of the General Assembly.

Leave of absence was granted Messrs. Rodgers, Booth, Goldthwaite and Ross until Monday.

BILLS ON SECOND READING.

The bills—

H. R. No. 176. To consolidate the offices of sheriff and tax collector of Baldwin county.

H. R. No. 177. To regulate the collection of costs in criminal cases in which defendants are sentenced to the penitentiary.

H. R. No. 178. To repeal an act to fix the time for trial of criminal cases in circuit court of Choctaw county, approved February 10, 1875.

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

H. R. No. 184. To amend section 3314 of the Revised Code.

H. R. No. 185. For the better protection of animals from unlawful and intentional injury.

H. R. No. 186. To amend section one of an act to protect persons having an interest in personal property as tenants in common, or part owners thereof.

H. R. No. 187. To regulate the sessions of the city court of Mobile.

H. R. No. 190. To regulate sale of State witness certificates.

H. R. No. 192. To establish a court of county revenue for Wilcox county;

Were severally read the second time and referred to the Committee on the Judiciary.

The bill—

H. R. No. 179. To prevent the cutting, falling or placing

timber in any river or its tributary, in this State :

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill—

H. R. No. 180. To amend an act to fix rate of taxation upon the shares of National Banking Associations and Savings Banks in this State, approved February 27, 1875 ;

Was read the second time and referred to the Committee on Finance.

The bills—

H. R. No. 181. To instruct tax collectors not to collect, or if collected, refund the tax assessed in 1876 on one horse, mare or mule owned by tax payers who did not own one yoke of oxen, as exempted by the Revenue Code.

H. R. No. 183. To consolidate the offices of tax collector and sheriff in the county of Lawrence ;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 188. To repeal all laws authorizing the collection of a special tax for the purpose of building bridges, so far as the same relates to the county of Pike.

H. R. No. 189. To regulate the publication of legal notices in the county of Bibb ;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 191. To repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, so far as it relates to Washington county ;

Was read the second time and referred to the Committee on Fees and Salaries.

MESSAGE FROM THE GOVERNOR.

By his private secretary, Mr. Vincent—

EXECUTIVE DEPARTMENT,

December 1, 1876.

Gentlemen of the Senate and of the House of Representatives :

I transmit with this, a report from the commissioners appointed to investigate the claims of W. A. C. Jones

against the State of Alabama, to which I invite your attention.

Very respectfully,

GEORGE S. HOUSTON,
Governor.

OFFICE OF COMMISSIONERS,
Montgomery, November 30, 1876.

To the General Assembly of Alabama :

The joint resolution of the General Assembly, approved March 19, 1875, imposes upon the undersigned the duty of investigating the claim or claims of W. A. C. Jones against the State, and the circumstances out of which such alleged claim or claims arose. We have discharged that duty, and as we do not entirely agree as to "conclusions of facts," or as to the facts established by the investigation, we have prepared a synopsis of the testimony, which with the evidence in full taken by us, we transmit to the General Assembly, and respectfully ask to be discharged from further consideration of the matter.

Respectfully submitted,

GEO. S. HOUSTON,
LEVI W. LAWLER,
T. B. BETHEA,
Commissioners.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced :

By Mr. Stevens, of Coffee—

H. R. No. 193. To amend section 4343 (792) of the Revised Code.

By Mr. Hudson—

H. R. No. 194. To create and enforce a lien for blacksmiths in the State.

By Mr. Stevens, of Dallas—

H. R. No. 195. To prohibit the procuring of young and unmarried females for vile and vicious purposes.

By Mr. Dean—

H. R. No. 196. To regulate the fees of grand and petit jurors in the circuit and city courts of this State, and the manner in which the same are to be paid.

By Mr. Weatherford (with petition and evidence of publication of notice, as prescribed by law)—

H. R. No. 197. For the relief of the sureties of Daniel W. Chambliss, late tax collector of Franklin county.

By Mr. Hobson—

H. R. No. 198. To provide for and regulate in criminal cases, appeals from justices and county courts.

By Mr. Cunningham, of Lauderdale---

H. R. No. 199. To require all persons authorized to assess property in this State to administer the oath required by law, orally.

By Mr. Betts—

H. R. No. 200. To prevent delay in the trial of certain chancery cases.

By Mr. Prowell—

H. R. No. 201. To incorporate the Marengo County Grange.

By Mr. George—

H. R. No. 202. To punish certain persons for taking up stock, in certain cases, in any agricultural district in this State.

By Mr. Muldon—

H. R. No. 203. To amend an act to give incorporated towns the power to limit the running of railroad trains and engines to a rate of speed not exceeding six miles per hour, while running through their corporate limits.

By Mr. Hubbard---

H. R. No. 204. To require warehousemen to give the full weight in their receipts of cotton in bales weighed for storage.

By Mr. Hubbard---

H. R. No. 205. To repeal an act to prohibit the sale or giving away of liquors within three miles of Richland church, Pike county.

Also, (with petition and statement)---

H. R. No. 206. For the relief of James M. Saunders, of Pike county.

By Mr. Glenn, (with statement and evidence of publication of notice, as prescribed by law)---

H. R. No. 207. For the relief of Thomas S. Paschal, of Russell county.

By Mr. Dillon---

H. R. No. 208. To amend section 3517 of the Revised Code.

Also,

H. R. No. 209. To amend section 3514 of the Revised Code.

Also,

H. R. No. 210. To amend section 3518 of the Revised Code.

Also,

H. R. No. 211. To amend section 3515 of the Revised Code.

Also,

H. R. No. 212. To amend section 3516 of the Revised Code.

By Mr. Gullett—

H. R. No. 213. To provide for the indebtedness of municipal corporations, cities and towns.

By Mr. Darden—

H. R. No. 214. To amend section 3 of an act to allow tax collectors to give separate bonds for the collection of ordinary State and county taxes, and all other taxes for certain purposes, approved March 4, 1876;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Dean offered the following resolution, which was adopted :

Resolved, That the Committee on Education be, and they are hereby required to inquire into the status of all unpaid claims against the State or the public school fund, for services as teacher or otherwise, in the free public schools of this State prior to October, 1874, and the advisability of paying the same, and report by bill or otherwise, as soon as practicable.

Mr. Cunningham, of Lauderdale, offered the following resolution, which was adopted :

WHEREAS, the Auditor's reports for 1874, 1875 and 1876 show a very great discrepancy in the value of railroad property in this State for those years, being given in at a valuation of \$19,311,000 in 1874, \$10,256,000 in 1875 and \$5,929,000 in 1876, which produces a loss to the State of more than \$150,000 of tax, making the value of the roads in 1874 a basis and such diminution of value being out of all proportion to the diminished value of other property in the State ; therefore, be it

Resolved, That the Judiciary Committee be, and they are hereby instructed to investigate whether or not the several railroad companies cannot be made to pay additional tax for the years 1875 and 1876, and report to this House as early as practicable the result of such investigation.

Mr. Hobson offered the following resolution, which was adopted:

WHEREAS, under the present revenue laws the judges of probate of the counties of this State are required to make a book containing the amount of taxes due by each tax payer, and

WHEREAS, no compensation is provided for said work, and whereas, compensation has been allowed to some of said judges and refused to others by the commissioners' courts; therefore

Resolved, That the Committee on Fees and Salaries be requested to take into consideration said matter, in order to determine what, if any compensation, shall be paid said judges for such work, and report by bill or otherwise.

The Senate bill---

s. No. 5. To repeal chapter 7, of title 3, of part 4 and section 3931 of the Revised Code, so far as the same relates to the counties of Dallas and Lee;

Was read once and ordered to a second reading on tomorrow.

EXECUTIVE MESSAGES.

The Governor's message in regard to the present Revenue Law, was referred to the Committee on Ways and Means, with instructions to report by bill or otherwise.

The message submitting report of the commissioners on the claim of W. A. C. Jones, was referred to the Committee on Accounts and Claims.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the House proceeded to the consideration of the special order for this hour, it being the amendment proposed to rule 24. The question pending being the amendment of Mr. McKleroy.

On motion of Mr. Prowell, the whole subject was laid on the table.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from the Committee on the Judiciary, reported favorably, with amendment to the bill---

H. R. No. 39. To limit the time of holding the circuit court of Colbert county to one week.

Amend by inserting the word "regular," before the word "term," in 4th line, and word "regular," before the word "terms," in 9th line in section 1.

The amendment and the bill ordered to be engrossed for a third reading on to-morrow.

Also, from same committee, reported favorably to the bill---

H. R. No. 78. To make defendants in proceedings to keep the peace, competent witnesses in their own behalf.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 78, nays 4.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—78.

Nays---Messrs. Cashin, Johnston, Lewis, Stephens, of Perry---4.

The special order for 12 to-day, viz., the bill—

H. R. No. 25. In relation to the feeding of prisoners in jail;

Was postponed and made the special order for Wednesday 12½ o'clock.

REPORTS OF COMMITTEES RESUMED.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill—

H. R. No. 130. To facilitate the collection of the State revenue.

Mr. Dillon moved to amend so as to exempt the poll tax from the operations of the act.

Mr. Blevins moved to lay the bill on the table.

Lost.

And the amendment of Mr. Dillon was lost.

Mr. Gibson moved to amend so as to make each delinquent tax payer pay eight per cent. on their tax from October 1st until paid;

Which, on motion of Mr. Fletcher, was laid on the table.

Mr. DeLemos moved to postpone the further consideration of the bill until Thursday next at 1 o'clock, and make it the special order for that hour.

Lost.

Mr. Harris moved to amend so as to reduce 2 per cent. in October, 1 per cent. in November, and $\frac{1}{2}$ of 1 per cent. in December.

Lost.

Mr. McKleroy moved to amend as follows:

Substitute for the title of the bill the following:

A bill to be entitled an act to encourage the prompt payment of State and county taxes in this State.

Strike out "October" and insert in lieu thereof "November."

Strike out "November," when it occurs in the original bill and insert in lieu thereof "December."

Strike out "December," when it occurs in the original bill and insert in lieu thereof "January."

The amendments were adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

December 1, 1876.

Mr. Speaker:

The Senate has passed House bills as follows:

H. R. No. 26. To repeal an act to prohibit the sale or giving away of vinous or spirituous liquors within one and a half miles of Macedonia, Forrester's chapel and Mount Zion churches, and also within two miles of Mount Morris church, all in Randolph county, approved February 13, 1875, so far as relates to Mount Morris church.

H. R. No. 28. To amend section 1874 of the Revised Code.

And has agreed to the proposition of the House for a conference committee in relation to amendments 2, 3, 4 and 6 of the House to the bill—

s. No. 1. To define the subordinate officers of the Gen-

eral Assembly, and to provide for their election, appointment and compensation.

Committee on the part of the Senate, Messrs. Lyon and Sherrod.

And has originated and passed bills as follows :

s. No. 115. For the relief of Robert S. Carroll, of Perry county, (with legal notice with said bill.)

s. No. 74. To amend section one of an act, approved March, 1876, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama," approved March 3, 1875.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, December 1, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives :

H. R. No. 31. An act to amend section 4029 of the Revised Code.

H. R. No. 6. An act to fix the time for holding the courts of the Eleventh Judicial Circuit.

H. R. No. 5. An act to amend section 4222 of the Revised Code.

H. R. No. 4. An act to amend section 2900 of the Revised Code.

Respectfully,

IKE H. VINCENT,
Private Secretary.

On motion of Mr. Denson, the House adjourned until to-morrow morning 10 o'clock.

SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, December 2, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Rice, Robinson, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---82.

Journal of yesterday read and approved.

Leave of absence was granted Messrs. Wall, Espy and Denson until Monday.

RECONSIDERATION.

On motion of Mr. McKleroy, the vote ordering to a third reading the bill—

H. R. No. 130. To encourage the prompt payment of State and county taxes in this State;

Was reconsidered and its consideration postponed until 12 M. to-day.

BILLS ON SECOND READING.

The bills—

H. R. No. 193. To amend section 4343, of the Revised Code;

H. R. 195. To prohibit the procuring of young and un-

married females for vile and vicious purposes;

H. R. No. 198. To provide for and regulate in criminal cases appeals from justices and county courts;

H. R. 200. To prevent delay in the trial of certain chancery cases;

And the Senate bill—

s. 5. To repeal chapter 7, of title 3, of part 4 and section 3931 of the Revised Code, so far as the same relate to the counties of Dallas and Lee;

Were severally read the second time and referred to the Committee on the Judiciary.

The bills—

H. R. No. 194. To create and enforce a lien for blacksmiths in this State;

H. R. No. 204. To require warehousemen to give full weight in their receipts of cotton in bales weighed for storage;

Were read the second time and referred to the Committee on Agriculture and Commerce.

The bills—

H. R. No. 196. To regulate the fees of grand and petit jurors in the Circuit and City Courts of this State, and the manner in which the same are to be paid;

H. R. No. 206. For the relief of James M. Saunders, of Pike county;

H. R. No. 208. To amend section 3517 of the Revised Code;

H. R. No. 209. To amend section 3514 of the Revised Code;

H. R. No. 210. To amend section 3518 of the Revised Code;

H. R. No. 211. To amend section 3515 of the Revised Code;

H. R. No. 212. To amend section 3516 of the Revised Code;

Were severally read the second time and referred to the Committee on Fees and Salaries.

The bills—

H. R. No. 197—For the relief of the sureties of Daniel W. Chambliss, late tax collector of Franklin county;

H. R. No. 199. To require all persons authorized to assess property in this State to administer the oath required, orally;

H. R. No. 207. For the relief of Thomas S. Paschal, of Russell county;

H. R. No. 214. To amend section 3 of an act to allow tax collectors to give separate bonds for the collection of ordinary State and county taxes and all other taxes for special purposes, approved March 4, 1876;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills—

H. R. No. 201. To incorporate the Marengo County Grange;

H. R. No. 202. To punish certain persons for taking up stock in certain cases in any agricultural district in this State;

H. R. No. 205. To repeal an act to prohibit the sale or giving away of liquors within three miles of Richland Church, Pike county;

Were severally read the second time and referred to the Committee on Local Legislation.

The bills—

H. R. No. 203. To amend an act to give incorporated towns the power to limit the running of railroad trains and engines to a rate of speed not exceeding six miles per hour while running through their corporate limits;

H. R. No. 213. To provide for the payment of the indebtedness of municipal corporations, cities and towns;

Were severally read the second time and referred to the Committee on Corporations.

The Senate bills—

s. No. 74. To amend section 1 of an act, approved March 6, 1876, entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved March 3, 1875;

s. No. 115. For the relief of Robert S. Carroll, of Perry county, Alabama, and to authorize him to peddle without a license;

Were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced—

By Mr. George—

H. R. No. 215. For the better protection of the owners of dogs;

Which was read once.

Mr. Baldwin moved to lay the bill on the table.

Lost.

The bill was ordered to a second reading on to-morrow.

By Mr. Griffin—

H. R. No. 216. To amend an act entitled an act to amend section 3705 (159) of the Revised Code, approved February 13, 1875.

By Mr. Muldon—

H. R. No. 217. To amend an act to authorize the Mayor of the city of Mobile to take cognizance of and try cases of misdemeanor and discharge the duties of justice of the peace, approved November 28, 1866.

By Mr. Glennon—

H. R. 218. To amend section 1 of an act to provide for the keeping of dockets in criminal cases by justices of the peace and notaries public.

By Mr. Cashin—

H. R. No. 219. To amend an act to prevent the use of abusive, insulting or vulgar language in the presence of families and females, approved March 15, 1875.

By Mr. Crump—

H. R. No. 220. To regulate the publication of legal advertisements in Alabama.

Also,

H. R. No. 221. To change the boundary lines of Blount, Walker and Jefferson counties;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Cunningham, of Lauderdale, offered the following joint resolution, which was referred to the joint committee to be raised on the subject of adjournment:

Resolved by the House, the Senate concurring, That the General Assembly adjourn on the 15th instant, to meet again on the 22d of January, 1877.

Mr. Kelly offered the following resolution, which was adopted:

Resolved, That the Committee on Corporations be instructed to look into and report what legislation is necessary, if any, to secure to the owners of property run over, killed or destroyed by railroads, pay for the same and report by bill or otherwise.

Also presented memorial from citizens of Coosa county, asking for legislation on that subject;

Which was referred to the same committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from the Judiciary Committee, reported favorably, with amendment, to the bill;

H. R. No. 134. To enforce the lien given by law to tenants in common on crops grown by them, for advances made by them, in certain cases;

Amend by inserting the words "approved March 7, 1876," after the word "cases," in sixth line.

The amendment was adopted and the bill ordered to be engrossed for a third reading on to-morrow.

Also from the same committee, reported favorably to the bill—

H. R. No. 156. To repeal an act to prevent solicitors from commencing prosecutions by affidavits made by themselves.

Mr. Lewis moved to lay this bill on the table.

Lost.

Mr. Hobson moved to postpone the further consideration of the bill until the 12th inst., and make it the special order for 12 M. on that day.

Lost.

The bill was ordered to a third reading forthwith, read the third time and lost. Yeas 29, nays 52.

Yeas—Messrs. Speaker, Allen, Baker, Betts, Booker, Brown, Caldwell, Crump, Dean, Forwood, George, Gere, Glenn, Glennon, Gray, Grove, Hansburger, Harrington, Herndon, Jones, Kelly, Muldon, McKleroy, McMath, Prowell, Shields, Titcomb, Townsend, White—29.

Nays—Messrs. Baldwin, Baxter, Beard, Bishop, Butler, Blevins, Brodnax, Cashin, Cockrell, Cunningham, of Lauderdale, Darden, Denman, DeLemos, Dillon, Doster, Fletcher, Foshee, Gibson, Gilchrist, Gullett, Griffin, Harris, Hobson, Hollis, Holloway, Hubbard, Hudson, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Rice, Robinson, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Ussery, Weatherford, Welch—52.

The House next proceeded to the consideration of the bill—

H. R. No. 130. To encourage the prompt payment of State and county taxes in this State.

Mr. McKleroy moved to amend as follows: Strike out the words "on or," where they occur.

Insert at the close of section 1 the following: "Provided this act shall not go into operation until after the 1st day January, 1877."

The amendments were adopted.

Mr. Brown moved to postpone the further consideration of the bill until the 12th of December, and make it the special order for 1 P. M. on that day.

Lost.

The bill was ordered to a third reading, and read the third time.

Mr. Rice moved to postpone the further consideration of the bill until next Wednesday at 11 A. M., and make it the special order for that hour.

Lost.

And the bill was lost—Yeas 40, nays 40.

Yeas—Messrs. Baker, Betts, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Darden, Dean, Dillon, Doster, Fletcher, Forwood, Foshee, Gere, Gilchrist, Glenn, Glennon, Gray, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Jones, Kelly, Kennedy, Mott, Muldon, McDavid, McDuffie, McFarlane, McKleroy, McMath, Shields, Speake, Taylor, Titcomb, Weatherford and Welch—40.

Nays—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Bishop, Booker, Blevins, Brown, Cashin, Cockrell, Crump, Denman, DeLemos, George, Gibson, Gullett, Griffin, Harris, Hollis, Hudson, Johnston, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, McAdory, McDonald, McKinstry, McWhorter, Prowell, Rice, Robinson, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Ussery, White—40.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 2, 1876.

Mr. Speaker:

The Senate has originated and passed the following bills:

s. No. 22. To provide for the trial of criminal cases upon particular days.

s. No. 105. To amend an act entitled an act to amend the proceedings in the city court of Mobile, approved

February 16, 1854, and to repeal an act amendatory thereof, approved March 18, 1875.

s. No. 100. To amend sections 1613 and 1614 of the Revised Code in relation to entering the satisfaction of mortgages.

s. No. 83. To regulate the collection of costs in prosecutions for escapes from the penitentiary.

J. M. CARMICHAEL,
Secretary.

ENROLLED BILLS.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bills, and the Speaker, in the presence of the House, after the titles had been publicly read, signed said bills:

H. R. No. 28. To amend section 1374 of the Revised Code.

H. R. No. 26. To repeal an act to prohibit the sale or giving away of vinous or spirituous liquors within one and a half miles of Macedonia, Forrester's chapel and Mount Zion churches, and also within two miles of Mount Morris church, all in Randolph county, approved February 13, 1875, so far as relates to Mount Morris church.

And

The Speaker also signed the following Senate bill, as prescribed by the Constitution:

s. No. 50. To repeal an act entitled an act in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, approved March 27, 1873, so far as the same relates to the counties of Chambers, Cherokee, Etowah, Barbour and Choctaw.

REPORTS OF COMMITTEES CONTINUED.

Mr. Herndon, from the Judiciary Committee, reported favorably to the bill—

H. R. No. 91. To construe acts prohibiting the sale, &c., of vinous, Spirituous or malt liquors in certain cases.

Mr. Brown moved to amend by striking out the words, "or within the limits of more than one county."

Adopted.

The bill was ordered fo a third reading forthwith, read the third time and passed---Yeas 61, nays 5.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Cockrell, Cun-

ningham, of Lauderdale, Crump, Denman, DeLemos, Dillon, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Jones, Kelly, Kennedy, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Robinson, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Townsend, Ussery, Weatherford, Welch, White—6¹

Nays---Messrs. Doster, Harris, Hudson, Johnston, Lewis---5.

Also, from same committee, reported favorably with amendments to the bill---

H. R. No. 139. To amend an act to prevent the use of insulting or vulgar language in the presence of families and females, approved March 15, 1875.

Amend by inserting after the enacting clause the following: "That an act to prevent the use of abusive, insulting or vulgar language in the presence of families and females, approved March 15, 1875," be so amended as to read as follows:

Amend by striking out the words "less than ten, nor" in the 10th line.

The amendments were adopted and the bill ordered to be engrossed for a third reading on to-morrow.

Also, from same committee, reported favorably to the bill---

H. R. No. 157. To repeal an act to declare the effect upon prosecutions then pending of the repeal of statutes authorizing such prosecutions.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 68, nays 3.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Crump, Denman, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Townsend, Ussery, Weatherford, Welch, White--68.

Nays---Messrs. Johnston, Lewis, and Stephens, of Coffee.

Mr. Herndon, from the same committee, reported back to the House the bill—

H. R. No. 81. To establish and create liens of blacksmiths for work done on farming implements, and asked that it be referred to the Committee on Agriculture and Commerce.

It was so referred.

Also, from same committee, reported a substitute for the bill—

H. R. No. 65. To amend section one of an act to regulate the term of service of jurors, approved March 15th, 1876.

The substitute was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 75, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Darden, Denman, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Weatherford, White—75.

Nays—Mr. Johnston—

Also, from same committee, reported favorably to the Senate bill—

s. No. 55. To amend section 3724 of the Revised Code; The bill was ordered to a third reading forthwith, read the third time and passed—Yeas, 73, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Crump, Darden, Denman, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Shields, Smith,

Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, White—73.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
December 2, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives:

H. R. No. 26. An act to repeal an act, to prohibit the sale or giving away of vinous or spirituous liquors within one and a half miles of Macedonia, Foresters' Chapel, and Mount Zion churches, and also within two miles of Mount Morris church, all in Randolph county, approved February 13th, 1875, so far as relates to Mount Morris church.

H. R. No. 28. An act to amend section 1374 of the Revised Code.

Respectfully,

J. H. VINCENT,
Private Secretary.

On motion of Mr. Cockrell the House adjourned until to-morrow morning 10 o'clock.

SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, December 4, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Har-

rington, Herndon, Hobson, Hollis, Holloway, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Weatherford, White---89.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Jones indefinitely on account of sickness.

Also Messrs. Rice, Hudson, and Wall, for one day.

BILLS ON SECOND READING.

The bill---

H. R. No. 215. For the better protection of the owners of dogs;

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bills---

H. R. No. 216. To amend an act entitled an act, to amend section 3705 (159) of the Revised Code, approved February 13, 1875;

H. R. No. 218. To amend section 1 of an act to provide for the keeping of dockets in criminal cases by justices of the peace and notaries public;

H. R. No. 220. To regulate the publication of legal advertisements in Alabama;

H. R. No. 219. To amend an act to prevent the use of abusive, insulting, or vulgar language in the presence of families and females, approved March 15, 1875;

Were severally read the second time and referred to the Judiciary Committee.

The bill---

H. R. No. 217. To amend an act to authorize the Mayor of the city of Mobile to take cognizance of and try cases of misdemeanors, and discharge the duties of justices of the peace, approved November 28, 1866;

Was read the second time and referred to the Committee on Corporations.

The bill---

H. R. No. 221. To change the boundary lines of Blount, Walker, and Jefferson counties;

Was read the second time and, on motion of Mr. Manasco, of Walker, indefinitely postponed.

The Senate bill—

s. No. 74. To amend section 1 of an act, approved March 6, 1876, entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act, to regulate elections in the State of Alabama, approved 3d March, 1875;

Was read the second time.

Mr. Cashin moved to amend by striking out the words "twenty thousand" and inserting "ten thousand."

Lost.

Mr. Stevens, of Dallas, moved to amend by striking out "twenty thousand" and inserting "five thousand."

Lost.

And the bill was referred to the Committee on Privileges and Elections.

The Senate bill—

s. No. 115. For the relief of Robert S. Carroll, of Perry county, Alabama, and to authorize him to peddle without a license;

Was read the second time and referred to the Committee on Local Legislation.

RECONSIDERATION.

On motion of Mr. Brown the vote by which the bill—

H. R. No. 130. To encourage the prompt payment of State and county taxes in this State;

Was lost; was reconsidered; also the vote ordering the bill to a third reading, and the bill recommitted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 4, 1876.

Mr. Speaker:

The Senate has passed House bills as follows:

H. R. No. 44. To amend an act entitled an act to create and provide for the punishment of the crime of seduction, approved March 15, 1875;

H. R. No. 32. To authorize notaries public to take acknowledgments and proof of conveyances, without seal, and to declare the effect of the same;

H. R. No. 42. To amend section 956 of the Revised Code;

H. R. No. 15. To require probate judges to itemize their accounts;

And has amended as therein shown, and passed the bill---

H. R. No. 61. To amend section 1353 of the Revised Code;

And has originated and passed bills as follows:

s. No. 106. To amend section 4339 of the Revised Code;

s. No. 114. To amend section 136 of the Revised Code;

And has adopted House joint resolution with reference to referring all questions of adjournment to a joint committee.

Committee on part of Senate, Messrs. Rice, Brooks and Tait.

J. M. CARMICHAEL,
Secretary.

SIGNING BILLS.

The Speaker in the presence of the House, after the titles had been publicly read, signed the following Senate bills:

s. No. 53. To amend section 1 of an act to incorporate the town of Rockford in the county of Coosa, approved March 20, 1875;

Also,

s. No. 48. To fix the salary of the State Auditor.

SENATE BILLS ON FIRST READING.

The Senate bills—

s. No. 22. To provide for the trial of criminal cases upon particular days;

s. No. 83. To regulate the collections of costs in prosecutions for escapes from the penitentiary;

s. No. 100. To amend sections 1613 and 1614 of the Revised Code, in relation to entering the satisfaction of mortgages;

s. No. 105. To amend an act entitled an act to amend the proceedings in the city court of Mobile, approved February 16th, 1854, and to repeal an act amendatory thereof, approved March 18th, 1875;

Which bills were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Booth---

H. R. No. 222. To amend sub-division 8 of section 1 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

Also,

H. R. No. 223. To protect tax payers in the State of Alabama;

By Mr. Betts---

H. R. No. 224. To regulate the collection of fines and forfeitures;

Also,

H. R. No. 225. To provide for the prosecution of criminal causes transferred from the State to the Federal courts;

By Mr. Herndon, (with evidence of publication of notice as prescribed by law)---

H. R. No. 226. To amend the charter of the president, directors and company of the Bank of Mobile;

By Mr. Cashin---

H. R. No. 227. To repeal an act to abolish fencing in certain portions of Montgomery county, approved January 29, 1867, (and known as the stock law);

By Mr. McMath, with evidence of publication of notice as prescribed by law)---

H. R. No. 228. To amend section 1 of an act approved March 20, 1875, prohibiting the sale of vinous, spirituous and intoxicating liquors, within five miles of certain churches in Cherokee county, and of Wilsonville and Harpersville in Shelby county;

By Mr. Dillon---

H. R. No. 229. To repeal section 2801 of the Revised Code;

By Mr. Mott---

H. R. 230. To allow persons in certain cases to obtain licenses to retail spirituous or vinous liquors and to keep billiard and pool tables for a less period than one year;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Jolly offered resolution instructing the Judiciary Committee to inquire into the propriety of amending an act to establish a court of quarter sessions for Perry county, approved February 23, 1876.

Mr. Lewis moved to lay the resolution on the table.

Lost.

And the resolution was adopted.

REPORTS FROM STANDING COMMITTEES.

Mr. McWhorter, from the Committee on Corporations, reported favorably to the Senate bill—

s. No. 37. To incorporate an educational association to be called and known as the Andrews Institute in DeKalb county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 71, nays 1.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, —71.

Nays—Mr. Lewis—1.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 161. To repeal an act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within six miles of Laurel Church in the county of Marengo, as far as it relates to Dixon's mill election precinct.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 74, nays 2.

Yeas—Messrs. Allen, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter,

Speake, Ramsey, Robinson, Rodgers, Ross, Smith, Snoddy, Prowell, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch—74.

Nays—Messrs. Johnston, and Stephens, of Perry---2.

Mr. Holloway, from the Committee on Counties and County Boundaries, reported favorably to the bill—

H. R. No. 37. To change the boundary line between the counties of Monroe and Clarke.

On motion of Mr. Robinson the further consideration of the bill was postponed until Thursday next, and made the special order for 12 M.

Mr. Forwood from the Committee on State Capitol, submitted a report recommending certain repairs on the Capitol and the buildings thereto attached;

Which was referred to Committee on Appropriations.

Mr. Gere, from the Committee on Agriculture and Commerce, reported favorably to the bill—

H. R. No. 150. To prohibit the taking of fish from artificial ponds or lakes belonging to other persons, and to provide a punishment for any violation of the same.

Mr. Cashin moved to amend by adding:

“Provided the owner is a resident of the State;”

Which, on motion of Mr. Harris, was laid on the table.

Mr. Cashin moved to postpone the further consideration of the bill until Thursday next 12½ o'clock and make it the special order for that hour.

Lost.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 74, nays 8.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, White---74.

Nays—Messrs. Baldwin, Blevins, Cashin, Cockrell, Johnston, Lewis, Mayberry, and Stephens, of Perry---8.

Mr. Gere, from the same committee, reported favorably to the bill—

H. R. No. 158. To amend section 1282 of the Revised Code.

On motion of Mr. Hobson the bill was laid on the table.

Mr. Gere, from the same committee, reported adversely to the bill—

H. R. No. 85. For the protection of the timber interest of the State of Alabama.

The House refused to concur.

Mr. DeLemos moved to amend by striking out "\$50" and inserting "\$25," also strike out "\$500" and insert "\$250."

On motion of Mr. Beers the bill was recommitted.

Mr. Betts, from the Committee on Ways and Means, reported favorably with amendment to the bill—

H. R. No. 7. To amend section 1, chapter 2 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Amend by striking out all of sub-division 8 and inserting in lieu thereof the following:

8. That every head of family shall be entitled to an exemption from taxation of property to the value of two hundred and fifty dollars, but this provision shall not be construed to exempt any tax payer from rendering a list embracing every item of taxable property, which he would be required by the provisions of the Revenue Code to list in case no exemption was allowed. Nor shall it be construed to prevent or discharge the assessor from entering the same in his list of assessment as now provided by law.

On motion of Mr. Betts the further consideration of the report was postponed and made the special order for tomorrow 11 A. M.

BILLS ON THIRD READING.

The bill—

H. R. No. 39. To limit the time of holding the circuit court of Colbert county to one week;

Was read the third time and passed---Yeas 84, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere,

Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Welch, White—84.

The bill---

H. R. No. 87. To repeal an act requiring the justices of the peace of Geneva and Randolph counties to act as apportioners and supervisors of public roads, in their respective beats, so far as the same applies to Geneva county, and to re-enact sections 1323, (1142) 1324, (1143), 1325, (1144) 1326, (1144a), 1327, (1145), of the Revised Code, so far as the same relates to the county of Geneva;

Was read the third time and passed—Yeas 81, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, White---81.

The bill---

H. R. No. 115. To change the boundary line between the counties of Talladega and Clay in this State;

Was read the third time and passed---Yeas 75, nays 9.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway,

Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, White---75.

Nays—Messrs. Baldwin, Booth, Blevins, Cashin, Harris, Lewis, Mayberry, Stevens, of Dallas, and Stephens, of Perry---9.

The bill—

H. R. 139. To amend an act to prevent the use of insulting or vulgar language in the presence of families and females, approved March 15th, 1875, was read the third time and passed—yeas 79, nays 5.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jolly, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rogers, Ross, Saunders, Smith, Speake, Stevens of Dallas, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, White—79.

Nays—Messrs. Cashin, DeLemos, Lewis, Snoddy and Stephens of Perry—5.

The bill—

H. R. 134. To enforce the lien given by law to tenants in common, on crops grown by them, for advances made by them, in certain cases;

Was read the third time and passed---yeas 70, nays 10.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Robinson,

Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, White---70.

Nays---Messrs. Baldwin, Booth, Blevins, Cashin, Harris, Johnston, Lewis, Mayberry, Stevens, of Dallas, and Stephens, of Perry---10.

The House concurred in the amendment of the Senate to the bill---

H. R. 61. To amend section 1323 of the Revised Code---yeas 82, nays 1.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jolly, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Robinson, Rogers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch, White---82.

Nays---Mr. Lewis---1.

Mr. McKleroy presented an account of J. R. Wing, for fixing locks, &c., in the hall of the House;

Also,

An account of J. D. Hogan, Doorkeeper, for articles furnished the House of Representatives;

Which were referred to the Committee on Accounts and Claims.

On motion of Mr. Snoddy the House adjourned until ten o'clock to-morrow morning.

EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, December 4, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White---87.

Journal of yesterday read and approved.

Mr. Betts, from the joint committee, to take into consideration the question of adjournment, reported the following joint resolution:

Resolved by the House, the Senate concurring, That the General Assembly will adjourn on Friday, the 15th day of the present month at 12 M., and convene again on Tuesday, the 9th day of January next, at 12 M.

Mr. Townsend moved to amend by striking out "9th" and insert "16th."

Which on motion of Mr. Stephens, of Perry, was laid on the table.

Mr. Brown moved to strike out "9th" and insert "22d."

Which on motion of Mr. Blevins, was laid on the table.

Mr. Cashin moved to amend by striking out "9th of January next" and inserting "1st Monday in November, 1877."

Which on motion of Mr. Kirkland, was laid on the table.

Mr. Stevens, of Coffee, moved to amend by adding the

following: "Provided that the members of this General Assembly shall not receive any mileage in going to or returning from their homes during the recess.

Mr. Glennon moved to postpone the further consideration of the resolution until 11 o'clock on 11th December inst., and make it the special order for that hour.

Lost.

On motion of Mr. Rice, the resolution and amendment was referred to the Judiciary Committee, with instructions to inquire into and report upon the constitutional power of the Legislature to do what is proposed by the resolution.

SPECIAL ORDER.

• The House next proceeded to consideration of the special order for 11 o'clock to-day, viz: The amendment reported by the Committee on Ways and Means to the bill—

H. R. No. 7. To amend section one, of chapter 2 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Mr. McMath offered the following as a substitute for the amendment proposed by the committee:

"8. All wearing apparel and all poultry."

Mr. Jolly moved to postpone the further consideration of the subject before the House until 11 o'clock on Friday next, and make it the special order for that hour.

Lost.

On motion of Mr. Harris, the substitute was laid on the table.

Mr. Ramsey offered the following as a substitute for the amendment of the committee:

"8. The following property to be selected by the head of each family, viz: Household and kitchen furniture, not to exceed in value one hundred and fifty dollars."

Mr. Glennon moved to postpone further consideration of the subject before the House until Friday next, 12 M.

Lost.

Mr. Gere moved that the consideration of the bill, and the report and pending amendment be postponed and made the special order for half past eleven to-morrow, and that they be made the special order for that hour, from day to day, until finally disposed of.

The motion prevailed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
December 4, 1876.

Gentlemen of the Senate :

Section one of the act approved 23d February, 1876, provides that the bonds of the State authorized to be issued under that section, "shall not be taken or held as complete obligations of the State until they are respectively authenticated by the signature of at least one of the commissioners appointed by the Governor, under the said act, approved 17th December, 1874."

The 6th section of said act of 23d February, 1876, makes the same provision as to the authentication of the bonds to be issued under it. And the same is true as to the portion of bonds to be issued under section 9 of the said act of February 23, 1876, that are to be exchanged in the city of New York.

The terms of the commissioners, including myself as *ex officio* a member of the board, will expire on December 17, 1876, after which time no person will be authorized by law to authenticate the new bonds, and consequently during that condition of things the exchange of bonds will necessarily be suspended. True, I could very easily have the new bonds authenticated before the expiration of the term of service of the commissioners, thus completing the execution of the bonds, and perfecting the State's liability on them in advance of the time of their exchange. Such, however, has not been my policy, nor is it the policy of the act of February 23, 1876. I have construed the fact that the law requires that the precise authentication of the bonds referred to shall be made before they become obligatory upon the State as the announcement of a purpose by the General Assembly that the new bonds shall not be in condition to be binding upon the State before the exchange, if, by accident or otherwise, they should improperly fall into the hands of those not entitled to receive them. I would be unwilling to see them authenticated except upon their exchange under the statute.

The exchange of bonds under the funding act has so far progressed as to leave no doubt of its satisfactory completion. But for a few months it will, in my judgment, be

necessary to have some competent person associated with me to assist in the execution of the work.

My duties as Governor will, during the session and for some time after the adjournment of the General Assembly, place it out of my power to give such attention to the execution of the funding act as I would like to do, or as will be necessary for the careful transaction of the business and duties required by it.

I therefore recommend that you continue one of the commissioners, or that I be authorized to appoint a commissioner to act in conjunction with myself in carrying out the provisions of the funding act, his term of service to be limited to six months, with authority to dispense with his services at an earlier day if I should believe they were not further needed in the work. It is important that the terms of the funding act be carried out and the business under it closed at the earliest practicable period, and I need not assure you that it is my purpose to work to that end without any waste of time.

GEO. S. HOUSTON,
Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 5, 1876.

Mr. Speaker :

The Senate has amended as therein shown, and passed the House bill—

H. R. No. 14. To refund license tax in certain cases.

And has originated and passed bills as follows :

s. No. 75. To amend section 95 of an act entitled an act to regulate elections in the State of Alabama, approved March 3, 1875.

s. No. 117. To repeal an act to prohibit the selling or giving away of spirituous, vinous or malt liquors within three miles of Concord Presbyterian church, near Havana, Hale county, Alabama.

s. No. 124. To amend sections 44 and 45 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

J. M. CARMICHAEL,
Secretary.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Titcomb for one day,

and Messrs. Beers and Darden until Friday.

EXECUTIVE MESSAGE.

The Governor's message, making certain recommendation in regard to continuing the term of office of one of the commissioners to adjust the State debt, was taken up, read and referred to the Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from the Judiciary Committee, reported back to the House the resolution instructing the Judiciary Committee to inquire into the propriety of reducing costs in chancery courts, and asked that it be referred to Committee on Fees and Salaries.

It was so referred.

Also, from same committee, reported a substitute for the bill—

H. R. No. 43. To amend section 4011 of the Revised Code;

The substitute was adopted, and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 85, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—85.

Also, from same committee, reported favorably to Senate bill—

s. No. 85. To amend section 2860 of Revised Code;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 78, nays 5.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Ross, Shields, Smith, Speake, Taylor, Townsend, Ussey, Wall, Weatherford, Welch, White—78.

Nays—Messrs. Baldwin, Cashin, Cockretl, Mayberry, Stephens, of Perry—5.

BILLS INTRODUCED.

By leave, the following bills were introduced :

By Mr. Gilchrist, (with petition and evidence of publication of notice, as prescribed by law)—

H. R. No. 231. To abolish the city court of Montgomery, and to transfer the business thereof to the circuit court.

By Mr. Hansburger—

H. R. No. 232. To regulate the feeding and safe keeping of State prisoners;

Which bills were severally read once and ordered to a second reading on to-morrow.

BILLS ON SECOND READING.

The bills—

H. R. No. 222. To amend subdivision 8 of section 1 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 223. To protect tax payers in the State;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills—

H. R. No. 224. To regulate the collection of fines and forfeitures.

H. R. No. 225. To provide for the prosecution of criminal

causes transferred from the State to the federal courts.

H. R. No. 229. To repeal section 2801 of the Revised Code;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 230. To allow persons in certain cases to obtain licenses to retail spirituous or vinous liquors, and to keep billiard and pool tables for a less period than one year;

Was read the second time.

Mr. Glennon moved to amend by striking out the third section.

The bill, with the amendment, was referred to the Judiciary Committee.

The bill—

H. R. No. 227. To repeal an act to abolish fencing in certain portions of Montgomery county, approved January 29, 1867, (and known as the stock law);

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill—

H. R. No. 226. To amend the charter of the president, directors and company of the Bank of Mobile, and extend the provisions thereof;

Was read the second time and referred to the Committee on Corporations.

The bill—

H. R. No. 228. To amend section one of an act, approved March 20, 1875, prohibiting sale of vinous, spirituous and malt liquors within five miles of certain churches in Cherokee county, and within five miles of Wilsonville and Harpersville, in Shelby county;

Was read the second time and referred to the Committee on Local Legislation.

The Senate bills—

s. No. 22. To provide for the trial of criminal cases upon particular days.

s. No. 83. To regulate the collection of costs in prosecutions for escapes from the penitentiary.

s. No. 100. To amend sections 1613 and 1614 of the Revised Code, in relation to entering the satisfaction of mortgages;

Were severally read the second time and referred to the Judiciary Committee.

The Senate bill—

s. No. 105. To amend an act to amend the proceedings in the city court of Mobile, approved February 16, 1854, and to repeal an act amendatory thereof, approved March 18, 1875;

Was read the second time and referred to a special committee.

SENATE BILLS ON FIRST READING.

The Senate bills—

s. No. 75. To amend section 95 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

s. No. 106. To amend section 4339 of the Revised Code.

s. No. 117. To repeal an act to prohibit the selling or giving away of spirituous, vinous or malt liquors within three miles of Concord Presbyterian church, near Havana, Hale county, Alabama.

s. No. 114. To amend section 136 of the Revised Code.

s. No. 124. To amend sections 44 and 45 of an act to regulate elections in the State of Alabama, approved March 3, 1875;

Were severally read once and ordered to a second reading on to-morrow.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bills, and the Speaker, in the presence of the House, after the titles had been publicly read, signed said bills—

H. R. No. 15. To require probate judges to itemize their accounts.

H. R. No. 32. To authorize notaries public to take acknowledgments and proof of conveyances without seal, and to declare the effect of the same.

H. R. No. 42. To amend section 956 of the Revised Code.

H. R. No. 44. To amend an act to create and provide for the punishment of the crime of seduction, approved March 15, 1875.

H. R. No. 61. To amend section 1323 of the Revised Code.

The House concurred in the amendments of the Senate to the bill—

H. R. No. 14. To refund license tax in certain cases.

Yeas 85, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—83.

On motion of Mr. Blevins, the House adjourned until to-morrow morning 10 o'clock.

NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, December 6, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis,

Mayberry, Manasco, of Walker, Manasco of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---87.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Rodgers until Monday.

Mr. Hansburger submitted the following report, which was received and ordered to lie on the table.

Mr. Speaker:

The joint Committee on Fees and Salaries beg leave to report that they have had the subject referred to them under consideration, and that they will be pleased to receive and consider any bill, resolution or suggestion that may be submitted for their consideration by the members of this House, looking to the reduction of fees and salaries of officers, or the consolidation of offices in the various counties of this State.

BILLS ON SECOND READING.

The bill—

H. R. No. 231. To abolish the city court of Montgomery, and to transfer the business thereof to the circuit court.

And the Senate bills—

s. No. 106. To amend section 4339 of the Revised Code.

s. No. 114. To amend section 136 of the Revised Code;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 232. To regulate the feeding and safe keeping of State prisoners;

Was read the second time and referred to the Committee on Fees and Salaries.

The Senate bills—

s. No. 75. To amend section 95 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

s. No. 124. To amend sections 44 and 45 of an act to regulate elections in the State of Alabama, approved March 3, 1875;

Were severally read the second time and rererred to the Committee on Privileges and Elections.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced:

By Mr. Booth—

H. R. No. 233. To amend section 34 of an act to amend section 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41 and 88 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

By Mr. Harrington—

H. R. No. 234. To regulate the pay of the county commissioners of Colbert county.

Also,

H. R. No. 235. To prohibit county commissioners, justices of the peace and notaries public from serving as grand jurors.

By Mr. Blevins—

H. R. No. 236. For the relief of passengers on railroad trains.

By Mr. Johnston—

H. R. No. 237. To repeal an act to prohibit the disposing of agricultural products between the hours of sunset and sunrise, approved February 20, 1875.

By Mr. Stevens, of Dallas—

H. R. No. 238. To incorporate the Grand Lodge of Free and Ancient Accepted York Masons of the State of Alabama, and the subordinate lodges under its jurisdiction.

By Mr. Hobson—

H. R. No. 239. To provide for the redemption of lands sold for taxes and bought in by the State prior to the year 1875.

By Mr. Speake, (with petition)—

H. R. No. 240. To fix and establish the place of holding the court of chancery of the 3d district, Northern chancery division of the State of Alabama.

By Mr. McWhorter—

H. R. No. 241. To prevent the carrying of friction matches in certain cases.

By Mr. Cunningham, of Monroe—

H. R. No. 242. To amend section 4239 of the Revised Code.

By Mr. Lewis---

H. R. No. 243. To repeal an act to amend section 91 of

an act to regulate elections in the State of Alabama, approved March 3, 1875, approved March 29, 1876.

By Mr. Goldthwaite—

H. R. No. 244. For the relief of the Troy Light Guards.

By Mr. Hollis---

H. R. No. 245. To consolidate the offices of sheriff and tax collector in the county of Sanford.

By Mr. Dillon---

H. R. No. 246. To amend section 2339 of the Revised Code.

By the same---

H. R. No. 247. To amend section 2342 of the Revised Code.

By Mr. Grove---

H. R. No. 248. To repeal an act to render more explicit, and to provide for the better enforcement of the provision of law in reference to the sale or giving away of spirituous, vinous or malt liquors in this State, approved March 18, 1875.

By Mr. Brown---

H. R. No. 249. To authorize the executors of the last will and testament of Rufus H. Clements, deceased, to sell certain lands in Tuscaloosa, at private sale.

By Mr. Gullett, (with petition and evidence of publication of notice, as prescribed by law)---

H. R. No. 250. To establish a district court for Western Wilcox.

By Mr. McKleroy---

H. R. No. 251. To amend section 7 of chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Denson offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed on the part of the House to inquire what law books, if any, are necessary for the use of the supreme court library, and report by bill to the House what amount of money should be appropriated for the purchase of said books.

REPORTS FROM STANDING COMMITTEES.

Mr. McKleroy, from the Committee on Education, reported favorably to the bill—

H. R. No. 18. To repeal an act to establish separate school districts within the several counties of this State, approved March 6, 1876;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 74, nays 14.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKléro, McMath, McWhorter, Prowell, Ramsey, Ross, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch---74.

Nays---Messrs. Bishop, Booth, Blevins, Cashin, Cockrell, Denman, Gilmer, Harris, Johnston, Mayberry, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry---14.

Mr. McKleroy, from same committee, reported adversely to the bill---

H. R. No. 63. To amend section 1 of an act to establish, organize and regulate a system of public instruction for the State of Alabama;

Which was concurred in.

Mr. Herndon made the following report:

Mr. Speaker:

The Judiciary Committee, to which was reported the resolution recommended by the special joint committee, "that the General Assembly will adjourn on Friday, the 15th of the present month at 12 M., and convene again on Tuesday, the 9th day of January next, at 12 M.," and the amendment thereto, with instructions to inquire into and report upon the constitutional power to do what the resolution contemplates, have had the same under consideration, and a majority of said committee have instructed me to report that, in their opinion, the General Assembly has power under the Constitution to take a recess, as contemplated by the resolution, and that, upon such a recess being

taken, members will be entitled to the mileage allowed by law in going to and returning from their homes.

THOS. H. HERNDON,
Chairman.

The report was received.

On motion of Mr. Prowell, the amendment of Mr. McKleroy, was laid on the table---Yeas 60, nays 28.

Yeas—Messrs. Baldwin, Baxter, Betts, Bishop, Butler, Blevins, Brown, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Dean, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Goldthwaite, Glennon, Gray, Griffin, Grove, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Johnston, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McMath, Prowell, Robinson, Ross, Shields, Smith, Snoddy, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Weatherford, White---60.

Nays---Messrs. Speaker, Allen, Baker, Beard, Booker, Booth, Caldwell, Crews, Crump, Denman, DeLemos, Gilchrist, Gilmer, Gullett, Glenn, Hansburger, Harrington, Kelly, Kennedy, McKinstry, McKleroy, McWhorter, Ramsey, Speake, Stevens, of Coffee, Ussery, Wall and Welch---28.

Mr. Harrington moved to amend the resolution by striking out "15th" and inserting "22d."

Which on motion of Mr. Prowell, was laid on the table.

Mr. Kennedy moved to amend by inserting "20th of this month," in lieu of "15th."

Which on motion of Mr. DeLemos, was laid on the table.

Mr. Stevens, of Coffee, moved to amend, by way of substitute, as follows :

Resolved by the House, the Senate concurring, That this General Assembly do adjourn *sine die* on the 22d of December instant.

Which on motion of Mr. Prowell, was laid on the table.

The resolution was then adopted---Yeas 58, nays 30.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Betts, Booker, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilmer, Goldthwaite, Glenn, Griffin, Grove, Hansburger, Hobson, Holloway, Hubbard, Jackson, Jolly, Johnston,

Kelly, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McMath, Prowell, Ramsey, Robinson, Smith, Snoddy, Speake, Stevens of Dallas, Titcomb, Townsend, Weatherford, Welch, White—58.

Nays—Messrs. Beard, Bishop, Booth, Butler, Cockrell, Crews, Crump, Denson, Gilchrist, Gullett, Glennon, Gray, Harrington, Herndon, Hollis, Kennedy, Manasco, of Walker, Muldon, McFarlane, McKinstry, McKleroy, McWhorter, Rice, Ross, Shields, Stevens, of Coffee, Stephens, of Perry, Taylor, Ussery, Wall—30.

SPECIAL ORDER.

The hour of half past eleven having arrived, the House proceeded to the consideration of the special order for this hour, viz:

The bill—

H. R. No. 7. To amend section 1, of chapter 2 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

The question pending, being the substitute of Mr. Ramsey to the amendment proposed by the committee.

By leave, Mr. Ramsey withdrew his substitute and offered the following, in lieu thereof:

8. The following property shall be exempt from taxation, to the head of each family, to-wit: Household and kitchen furniture, including wearing apparel to the value of seventy-five dollars, family supplies to the value of fifty dollars, cows and calves to the value of twenty-five dollars, and all poultry.

Which on motion of Mr. Blevins, was laid on the table.

Mr. Denson offered the following, as a substitute for the amendment proposed by the committee:

8. "The following personal property to be selected by the head of each family: Household and kitchen furniture, all provisions necessary for the actual support of the family during the current year, and all poultry; the above enumerated articles not to exceed in the aggregate two hundred and fifty dollars; all wearing apparel."

Lost.

Mr. Speake moved to amend by striking out "\$250" and inserting "200."

Which on motion of Mr. DeLemos, was laid on the table.

Mr. McKleroy moved to amend by striking out the words "head of family," and inserting "resident of this State."

Which on motion of Mr. Blevins, was laid on the table.

Mr. Manasco, of Walker, moved to amend by way of substitute, as follows:

8. "Household and kitchen furniture, not to exceed one hundred and fifty dollars, two cows and calves, one hundred bushels of corn, one thousand pounds of pork, and farming tools, not to exceed fifty dollars in value, and all poultry kept for the use of the family."

Mr. Brown moved to recommit the bill.

Mr. McKleroy moved to postpone the further consideration of the subject until 11½ o'clock to-morrow.

Lost.

Mr. Rice moved to amend the motion of Mr. Brown by adding, "and that the committee be instructed to report the following, in lieu of subdivision 8.:"

"8. The following property to be selected by the head of the family, viz: Household and kitchen furniture, not to exceed in value one hundred and fifty dollars; one yoke of oxen, or one horse or mare, or one mule; one cart or wagon; two cows and calves; twenty head of stock hogs; ten head of sheep; all poultry; all corn, provisions and supplies on hand for the current year for the use of the family and the making of the crop, not to exceed in value one thousand dollars; all wearing apparel; all looms and spinning wheels kept for use in the family; farming tools to the value of twenty-five dollars; tools and implements of mechanics to the value of twenty-five dollars."

Mr. Hubbard moved to amend, by way of substitute, for amendment of Mr. Rice, "and that the committee be instructed to report a bill to repeal subdivision 8."

On motion of Mr. Ramsey, the amendment and substitute were laid on the table.

And the motion to recommend carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 6, 1876.

Mr. Speaker:

The Senate has originated and adopted a joint resolution, as follows:

s. No. 170. To authorize the distribution of geological surveys.

And has originated and passed the following bill:

s. No. 116. To attach the west half of township twenty, range six, east Perry county to the county of Hale.

J. M. CARMICHAEL,
Secretary.

The Senate bill—

s. No. 117. To repeal an act to prohibit the selling or giving away of spirituous, vinous or malt liquors within three miles of Concord Presbyterian church, near Havana, Hale county, Alabama;

Was read the second time and referred to the Committee on Local Legislation.

SPECIAL ORDER.

The House then proceeded to consideration of the bill—

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock, or cattle of any kind.

The question pending, being the amendment of Mr. McKleroy, viz: To strike out the words "fifty dollars," where they occur, and insert "one hundred dollars."

The amendment was adopted.

Mr. McMath moved to amend by inserting between the words "situated" and "a" in 8th line, section 2, the following: "If to the depot agent, the notice must be mailed to him at the postoffice situated nearest to the depot of which he has charge, or said notice may be served on said depot agent in the same manner as suit commenced by summons and complaint."

Also amend by inserting after the word "kind," in 3d line, section 1, the word "caused."

The amendments were adopted.

Mr. DeLemos moved to amend as follows:

Add at the end of section 1, "unless the railroad company can show that it used all due care to prevent said killing."

In 6th line, section 2, insert before the word "mail," the words "within thirty days after the killing shall."

On motion of Mr. Ramsey, the amendments were laid on the table.

Mr. Kennedy moved to amend, by way of substitute, for section 2.

Pending the consideration of which, on motion of Mr. Rice, the House adjourned until to-morrow morning 10 o'clock.

TWENTIETH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, December 7, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch.--91.

Journal of yesterday read and approved.

BILLS ON SECOND READING.

The bill—

H. R. No. 233. To amend section 34 of an act to amend section 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44, and 88 of an act to regulate elections in the State of Alabama, approved 3rd March, 1875;

H. R. No. 243. To repeal an act to amend section 91 of an act to regulate elections in the State of Alabama, approved March 3rd 1875; approved March 29th, 1876.

Were severally read the second time and referred to the Committee on Privileges and Elections.

The bill—

H. R. No. 234. To regulate the pay of the county commissioners of Colbert county;

Was read the second time and referred to the Committee on Finance.

The bills---

H. R. No. 235. To prohibit county commissioners, justices of the peace and notaries public, from serving as grand jurors;

H. R. No. 236. For the relief of passengers on railroad trains;

H. R. No. 240. To fix and establish the place of holding the court of chancery of the 3rd district, northern chancery division of Alabama;

H. R. No. 241. To prevent the carrying of friction matches in certain cases;

H. R. No. 242. To amend section 4239 of the Revised Code;

H. R. No. 246. To amend section 2339 of the Revised Code;

H. R. No. 247. To amend section 2342 of the Revised Code;

H. R. No. 250. To establish district court for Western Wilcox;

Were severally read the second time and referred to the Judiciary Committee.

The bill---

H. R. 237. To repeal an act to prohibit the disposing of agricultural products, between the hours of sunset and sunrise, approved February 20th, 1875;

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill---

H. R. No. 238. To incorporate the Grand Lodge of Free and Ancient Accepted York Masons of the State of Alabama, and the subordinate Lodges under its jurisdiction;

Was read the second time and referred to the Committee on Corporations.

The bills---

H. R. No. 239. To provide for the redemption of lands sold for taxes and bought in by the State, prior to the year 1876;

H. R. No. 245. To consolidate the offices of sheriff and tax-collector in the county of Sanford;

H. R. No. 248. To repeal an act to render more explicit and to provide for the better enforcement of the provision of law, in reference to the sale or giving away of spirituous, vinous or malt liquors, in this State, approved March 18th, 1875;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill---

H. R. No. 249. To authorize the executors of the last will and testament of Rufus H. Clements, deceased, to sell certain lands in Tuscaloosa, at private sale;

Was read the second time and referred to the Committee on Local Legislation.

The bill---

H. R. No. 244. For the relief of the Troy Light Guards;

Was read the second time and referred to the Committee on Public Roads and Highways.

The bill---

H. R. No. 251. To amend section 7 of chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6th, 1876;

Was read the second time and referred to a Special Committee of five.

Committee, Messrs. McKleroy, Gere, Hobson, Harrington and Darden.

SENATE MESSAGES.

The senate bill---

s. No. 116. To attach the west half of township 20, range 6, east, in Perry county, to the county of Hale;

Was read once and ordered to a second reading on tomorrow.

The house concurred in senate---

s. No. 170. Joint resolution to authorize the distribution of geological surveys.

UNFINISHED BUSINESS.

The next business in order was the consideration of the bill---

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock, or cattle of any kind.

By leave, Mr. Kennedy withdrew his amendment.

On motion of Mr. Jolly, the further consideration of the bill was postponed until 11 o'clock to-morrow, and made the special order for that hour.

SIGNING SENATE BILLS.

The Speaker, in the presence of the house, immediately after the titles had been publicly read, signed the following senate bills---

s. No. 37. To incorporate an educational association to be called and known as the Andrews' Institute, in DeKalb county;

s. No. 85. To amend section 2860 of Revised Code.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

December 7, 1876.

Mr. Speaker :

The Senate has refused to concur in the report of the Conference Committee upon certain amendments to the bill---

s. No. 1. To define the Subordinate Officers of the General Assembly, and to provide for their election, appointment and compensation,

And asks for a new Committee of Conference.

Committee on the part of the Senate, Messrs. Chambers and Rice.

And has passed house bill---

H. R. No. 70. To regulate the terms of circuit court of St. Clair county in the 12th judicial circuit of Alabama.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, December 7, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives :

H. R. No. 15. An act to require probate judges to itemize their accounts;

H. R. No. 42. An act to amend section 956 of the Revised Code;

H. R. No. 44. An act to amend an act to create and

provide for the punishment of the crime of seduction, approved March 15th, 1875;

H. R. No. 61. An act to amend section 1323 of the Revised Code;

H. R. No. 32. An act to authorize notaries public to take acknowledgments and proofs of conveyances without seal, and declare the effect of the same.

Respectfully,

IKE H. VINCENT,
Private Secretary.

SPECIAL ORDER.

On motion of Mr. Cunningham, of Monroe, the bill---

H. R. No. 37. To change the boundary line between the counties of Monroe and Clarke; which was made the special order for 12 m. to-day was recommitted.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced---

By Mr. McKleroy---

H. R. No. 252. To fix the general rate of taxation in this State;

Also---

H. R. No. 253. To make circuit judges rotate throughout the State;

Also,

H. R. No. 254. For the temporary regulation of the public school system;

By Mr. Crews---

H. R. No. 255. To require tax collectors to levy first upon personal property for delinquent taxes;

By Mr. Stevens, of Coffee---

H. R. No. 256. To enable sheriffs, clerks, of the circuit, city, and county courts, of this State, to collect their fees in certain cases;

By Mr. Fletcher---

H. R. No. 257. To amend section 7 of chapter 11 of the Revenue Code;

By Mr. Betts---

H. R. No. 258. To provide for the payment of the expenses of the joint committee to visit the Insane Hospital and University of Alabama;

By Mr. Herndon—

H. R. No. 259. To reorganize the San Juan Mining Company of Mobile, and to extend the powers thereof;

By Mr. Cashin—

H. R. No. 260. To repeal an act to amend section 7 of an act to abolish fencing in certain portions of Montgomery county, approved January 29, 1867, approved March 17, 1875;

By Mr. Stephens, of Perry—

H. R. No. 261. To repeal an act to prevent white and colored prisoners from being imprisoned together in the same apartment before conviction;

By Mr. Hubbard---

H. R. No. 262. To make the decree of insolvency sufficient evidence to show the necessity of a sale of the real and personal property of the insolvent estate;

By Mr. Ross---

H. R. No. 263. To authorize the commissioners' courts of the different counties of this State to levy special taxes upon the assessment made for the State;

By Mr. Manasco, of Walker, (with petition and evidence of publication of notice, as prescribed by law)—

H. R. No. 264. To amend an act to prohibit the sale, gift, or barter, of intoxicating liquors, within two miles of the Academy, in the town of Jasper, Walker county, Alabama, approved December 14, 1874;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. McMath offered the following resolution which was adopted:

Resolved, 1st, That the Committee on Ways and Means be instructed to inquire into and report the lowest rate of taxation that would be necessary to meet all the expenses of the State, if sub-division 8, chapter 2, section 1 of the Revenue Code was repealed?

2d. What rate of taxation will it require if said sub-division remains unchanged?

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 7, 1876.

Mr. Speaker:

The Senate has concurred in the House joint resolution

in relation to adjournment on the 15th inst. and re-assembling on January 9, 1877.

J. M. CARMICHAEL,
Secretary.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker in the presence of the House immediately after their titles had been publicly read, signed said bills:

H. R. No. 14. To refund license tax in certain cases.

H. R. No. 70. To regulate the terms of the circuit court of St. Clair county, in the 12th judicial circuit of Alabama.

REPORTS FROM STANDING COMMITTEES.

Mr. McKleroy, from the Committee on Education, reported adversely to the bill, (and accompanying amendment)—

H. R. No. 40. To amend section one (1) of chapter three (3) of the Revenue Code.

On motion of Mr. Griffin the report was laid on the table.

The question recurring on the adoption of the amendment offered by Mr. Collins.

It was lost.

Mr. Jolly moved to amend by striking out the reciting clause.

The amendment was adopted.

Mr. McKleroy moved to amend by striking out "45" and inserting "30."

Which, on motion of Mr. Blevins, was laid on the table.

The bill was then ordered to a third reading forthwith, read the third time and passed.—Yeas 62, nays 24.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Blevins, [Brown, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Doster, Espy, Foshee, Gere, Gilchrist, Goldthwaite, Gullett, Griffin, Grove, Hansburger, Hollis, Holloway, Hubbard, Hudson, Jackson, Johnston, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, Mc-

Farlane, Rice, Ross, Shields, Speake, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, Wall, Weatherford, Welch, White.--62.

Nays—Messrs. Caldwell, Darden, Dillon, Fletcher, Forwood, George, Gibson, Glenn, Glennon, Gray, Harrington, Herndon, Jolly, Muldon, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Shields, Stevens, of Coffee, Taylor, and Titcomb.--24.

Mr. Harrington, from the Committee on Finance, under instructions from the house, reported a bill—

H. R. No. 265. To authorize the commissioners appointed, under an act of 17th December, 1874, to adjust and liquidate claims against the State of Alabama to substitute new for certain old bonds, bearing date May 1st, 1833;

Which was read once and ordered to a second reading on to-morrow.

Mr. Jolly, from the Committee on Corporations, reported favorably to the bill—

H. R. No. 226. To amend the charter of the president and directors and company of the bank of Mobile, and extend the provisions thereof.

The bill was ordered to a third reading forthwith read, the third time and passed.—Yeas 76, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Betts, Bishop, Booker, Butler, Blevins, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ross, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White.--76.

Also from same committee reported favorably to the bill—

H. R. No. 203. To amend an act to give incorporated towns the power to limit the running of railroad trains and engines, to a rate of speed not exceeding six miles per

hour while running through their corporate limits.

The bill was ordered to a third reading forthwith, read the third time and passed.—Yeas 81, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Blevins, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Johnston, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—81.

Also, from same committee, reported favorably to the bill—

H. R. No. 217. To amend an act to authorize the Mayor of the city of Mobile to take cognizance of, and try cases, of misdemeanors, and discharge the duties of justices of the peace, approved November 28, 1866.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas, 74, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—74.

Nay—Mr. Cashin—1.

Mr. Herndon, from the Judiciary Committee, under the resolution instructing that committee to prepare and report an impeachment bill, reported a bill—

H. R. No. 266. To amend the act entitled an act to provide for the impeachment and removal from office of the

officers mentioned in section 2 and section 3 of article 7 of the Constitution of Alabama;

Which was read once and ordered to a second reading on to-morrow, and 200 copies ordered printed.

Mr. Gere, from Committee on Agriculture and Commerce, reported back to the House the bill—

H. R. No. 90. To prevent persons from passing through or entering upon the farms of another, and asked that it be referred to Judiciary Committee.

It was so referred.

Mr. Hubbard, from the Committee on Privileges and Elections, reported back to the House, with request that they be referred to the joint committee on the registration law, the following bills---

H. R. No. 62. To require the registration lists of voters to be closed twenty days before election day.

H. R. No. 67. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875.

H. R. No. 104. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875, and to repeal an act amendatory thereof, approved March 6, 1876;

They were so referred.

By leave, Mr. McAdory offered the following resolution, which was adopted.

Resolved, That the Judiciary Committee be instructed to ascertain whether an act to establish, organize and regulate a system of public instruction for the State of Alabama, approved March 8, 1876, is null and void on account of the failure to print section 1 of said act, word for word, as passed by the General Assembly at its last session, and report to this House as soon as practicable.

By leave, Mr. Holloway, from the Committee on Counties and County Boundaries, reported a substitute for the bill—

H. R. No. 73. To form the new county of Cullman out of portions of Blount, Winston and Morgan, and to provide for the organization of said county.

Mr. Manasco, of Walker, moved to amend by striking out "Cullman" and inserting "Fitzpatrick;"

Which on motion of Mr. Blevins, was laid on the table.

The substitute was adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Mott was allowed to withdraw the joint memorial—

H. R. No. 117. To the Congress of the United States in

aid of the New Orleans and Selma Railroad and Immigration Association.

On motion of Mr. Blevins, the House adjourned until 10 o'clock to-morrow morning.

TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Friday, December 8, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers,* Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—96.

Journal of yesterday read and approved.

On motion of Mr. Goldthwaite, the bill—

H. R. No. 25. In relation to feeding of prisoners in jail;
Was made the special order for to-morrow 12 M.

Mr. Betts made the following report:

Mr. Speaker:

The majority of the House Committee on Ways and Means in response to a resolution of this House, entertain the opinion that the present rate of taxation can, to a cer-

tain extent, be safely reduced, provided no exemption, or only a very limited exemption, of property from taxation shall be allowed.

E. C. BETTS,
Chairman.

On motion of Mr. McKleroy the report was received and laid on the table.

Mr. McKleroy, from special committee, reported favorably to the bill—

H. R. No. 251. To amend section 7 of chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Mr. Harris moved to amend by adding:

"Provided that this tax shall constitute a part of the educational fund of the county in which such solicitation is made or inducements offered or held out."

Mr. Lewis moved to lay the bill and amendment on the table.

Mr. Rice called for a division of the question.

The amendment was laid on the table—Yeas 77, nays 15.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch---77.

Nays---Messrs. Baldwin, Baxter, Booth, Blevins, Cashin, Cockrell, DeLemos, Harris, Johnston, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, and Stephens, of Perry---15.

The House refused to lay the bill on the table.

Mr. Mayberry moved to amend by striking out "\$500" and inserting "\$100;"

Which on motion of Mr. Baker was laid on the table.

Mr. Lewis moved to amend by striking out "\$500" where it occurs and insert "\$50" and add the following:

"and provided that this act shall not apply to such agents as induce only relatives and friends."

The amendment was lost—Yeas 15, nays 74.

Yeas—Messrs. Baldwin, Baxter, Blevins, Cashin, Cockrell, DeLemos, Harris, Hobson, Johnston, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, and Stephens, of Perry—15.

Nays—Messrs. Speaker, Allen, Baker, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—74.

Mr. Blevins moved to amend by adding:

"Provided, however, that no citizen of this State shall be deemed such emigration agent, or be subject to this tax of five hundred dollars;

Which, on motion of Mr. Ramsey, was laid on the table—Yeas 75, nays 15.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—75.

Nays—Messrs. Baldwin, Baxter, Blevins, Cashin, Cockrell, Gullett, Johnston, Lewis, Mayberry, Manasco, of Winston, Rice, Snoddy, Stevens, of Dallas, and Stephens, of Perry—15.

Mr. McKleroy moved to amend as follows: Strike out the last clause and insert in lieu thereof; "and any person who shall be found in this State offering inducements to or soliciting persons resident in this State to remove from the same, shall be considered *prima facie* an emigration agent within the meaning of this section."

The amendment was adopted.

Mr. McKleroy called for the previous question, and the call was sustained.

The bill was ordered to a third reading forthwith, read the third time and lost—Yeas 42, nays 52.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Dean, Denson, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Goldthwaite, Glenn, Gray, Grove, Hansburger, Harrington, Hobson, Hollis, Hubbard, Jackson, Mott, McDuffie, McFarlane, McKleroy, McWhorter, Ramsey, Rodgers, Saunders, Stevens, of Coffee, Townsend---42.

Nays---Messrs. Baldwin, Baxter, Booth, Blevins, Brodnax, Cashin, Cockrell, Cunningham, of Monroe, Crump, Denman, DeLemos, Dillon, Doster, George, Gilchrist, Gullett, Glennon, Griffir, Harris, Herndon, Holloway, Hudson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McKinsty, McMath, Prowell, Rice, Robinson, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch---52

SPECIAL ORDER FOR 11.

The House then proceeded to the consideration of the bill—

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock or cattle of any kind.

Mr. Hubbard moved to amend section 4 in 2d line by inserting between the words "corporation" and "in" the words "persons or persons owning or controlling any railroad in this State."

Adopted.

Also moved to amend as follows: Add the word "corporation" after the word "any" in first line, 5th section.

Adopted.

Mr. Jolly moved to amend as follows:

In section 2, line 7, add after the words "complained of" the words "or person or persons owning or controlling any railroad in this State."

Add after the word "situated" in 8th line of same section and after the words "complained of" in 4th line, section 3, the same words.

The amendments were adopted.

Mr. Kennedy moved to amend as follows:

In 3d line, section 5, insert after the word "fee" the following: "incurred by reason of said appeal."

Insert after the word "damages" in the 2nd line, same section, the words "brought under the provisions of this act."

The amendments were adopted.

Mr. DeLemos moved to amend by inserting after the words "complained of" in 4th line, section 3, "if it shall be clear that the killing was the result of negligence on the part of said R. R. Company;"

Which, on motion of Mr. Ramsey, was laid on the table.

Mr. DeLemos moved to lay the bill on the table.

Mr. Rice demanded the ayes and noes.

The Speaker put the question, "Is the call sustained?" And decided that the call was not sustained.

Mr. Cashin appealed from the decision of the chair.

The decision of the chair was sustained.

The motion to table was lost.

Mr. Hubbard moved to amend 5th section, 1st line, by inserting after the word "persons" the words "owning or controlling any railroad in this State."

Adopted.

Mr. Mayberry moved to amend by striking out of section 3 the words, "by his own oath or otherwise," and inserting in lieu thereof "by at least three disinterested persons;"

Which on motion of Mr. Jolly, was laid on the table.

On motion of Mr. Hubbard the vote adopting his last amendment was reconsidered and the amendment withdrawn.

Mr. McKleroy moved to amend by striking out the words "or controlling" in the second line of the 1st section.

Lost.

Mr. Herndon moved to amend by striking out the words "owners or" in the 2nd line, 1st section.

Lost.

Mr. Hubbard moved to amend by adding at the end of section 4, "provided that no stockholder in a railroad by

reason of his stock shall be liable for damages under this act."

Adopted.

Mr. McKleroy moved to amend by adding at the end of the first section the words "without any fault or negligence on the part of the owner of such stock or cattle, or his agent or employee."

Mr. Ramsey moved to amend by way of substitute as follows: "Where said railroad is not inclosed by a lawful fence";

Which, on motion of Mr. DeLemos, was laid on the table.

On motion of Mr. Blevins the amendment of Mr. McKleroy was laid on the table.

Mr. Hubbard moved to amend by adding at the end of the last section, the following, "provided sections 1399' and 1400 of the Revised Code shall not be repealed hereby."

Mr. McKleroy moved to amend the amendment by adding "and section 1401;"

Which, on motion of Mr. Blevins, was laid on the table. The amendment of Mr. Hubbard was adopted.

Mr. Rice moved to amend section 1 by adding thereto the following:

Provided, however, that nothing contained in this section or in this act, shall be construed to impair or affect the doctrine of contributory negligence as now established in this State;

Which, on motion of Mr. Jolly, was laid on the table.

The bill was then ordered to be engrossed for a third reading to-morrow.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
December 8, 1876.

Gentlemen of the House of Representatives:

With this I transmit the annual report of the State Geologist, showing the progress made by him in the geological survey of the State.

The importance of the work, as well as the known ability and fidelity of the gentleman having it in charge, bespeaks for it your favorable consideration.

GEO. S. HOUSTON,
Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 8, 1876.

Mr. Speaker:

The Senate has passed the House bill—

H. R. No. 78. To make defendants in proceedings to keep the peace, competent witnesses in their own behalf;

And has originated and passed bills as follows:

s. No. 107. To fix and regulate the time of holding the circuit courts of the 12th judicial circuit of Alabama;

s. No. 35. To amend section 3736 of the Revised Code;

s. No. 122. To amend section 2358 of the Revised Code;

And has adopted the following resolution:

Resolved, That a message be sent to the House of Representatives asking a recall of the message of the Senate on yesterday in reference to the adoption of the joint resolution on adjournment.J. M. CARMICHAEL,
Secretary.

On motion of Mr. Betts the clerk was instructed to return to the Senate the joint resolution relating to the adjournment of the General Assembly, as requested.

By leave, Mr. Holloway called up the bill—

H. R. No. 73. To form the new county of Cullman out of portions of Blount, Winston and Morgan, and to provide for the organization of said county.

The bill was read the third time and passed—Yeas 84, nays 3.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Booker, Butler, Blevins, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hubbard, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—84.

Nays---Messrs. Bishop, Gullett and Hudson---3.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
December 8, 1876.

Mr. Speaker :

The Senate has amended as therein shown and adopted House joint resolution as follows:

Resolved by the House, the Senate concurring, That this General Assembly will adjourn on Friday, the 15th day of this present month, at 12 M., and convene again on Tuesday the 9th day of January next, at 12 M.

Amend by striking out "January 9th," and inserting "Wednesday, February 14th."

J. M. CARMICHAEL,
Secretary.

The House then proceeded to the consideration of the amendment of the Senate to the joint resolution on adjournment.

Mr. Blevins moved to amend by striking out "Wednesday, February 14th," and inserting "1st of March."

Mr. Beers moved to postpone the further consideration of the subject until 11 o'clock to-morrow.

Lost.

Mr. Betts moved to amend by striking out "14th February" and inserting "22d January;"

Which, on motion of Mr. Caldwell, was laid on the table.

The House refused to concur in the amendment of the Senate.

NOTICE.

Mr. Brown gave notice that on to-morrow he would move to amend rule 10 by adding the following, "Provided that upon such call it shall require one-fifth of all the members of the House to sustain the same."

ENROLLED BILLS.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bill, and the Speaker in the presence of the House immediately after the title had been publicly read, signed said bill:

H. R. No. 78. To make defendants in proceedings to keep the peace competent witnesses in their own behalf.

BILLS ON SECOND READING.

The bills—

H. R. No. 252. To fix the general rate of taxation ;

H. R. No. 255. To require tax collectors to levy first upon personal property for delinquent taxes ;

H. R. No. 263. To authorize the commissioners' courts of the different counties of this State to levy special taxes upon the assessment made for the State ;

Were severally read the second time and referred to the Committee on Ways and means.

The bills—

H. R. No. 253. To make circuit judges rotate throughout the State ;

H. R. No. 262. To make the decree of insolvency sufficient evidence to show the necessity of a sale of the real and personal property of the insolvent estate ;

H. R. No. 266. To amend an act to provide for the impeachment and removal from office of the officers mentioned in section 2 and section 3 of article 7 of the Constitution of Alabama ;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 254. For the temporary regulation of the public school system ;

Was read the second time and referred to the Committee on Education.

The bill—

H. R. No. 256. To enable sheriffs, clerks, of the circuit, city, and county courts, of this State, to collect their fees in certain cases ;

Was read the second time and referred to the Committee on Fees and Salaries.

The bill—

H. R. No. 258. To provide for the payment of the expenses of the joint committee to visit the Insane Hospital and University of Alabama ;

Was read the second time and referred to the Committee on Appropriations.

The bills—

H. R. No. 257. To amend section 7 of chapter 11 of the Revenue Code ;

H. R. No. 259. To reorganize the San Juan Mining Com-

pany of Mobile, and to extend the powers thereof;

Were severally read the second time and referred to the Committee on Corporations.

The bill—

H. R. No. 260. To repeal an act to amend section 7 of an act to abolish fencing in certain portions of Montgomery county, approved January 29, 1867, approved March 17, 1875;

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill—

H. R. No. 261. To repeal an act to prevent white and colored prisoners from being imprisoned together in the same apartment before conviction;

Was read the second time and referred to the Committee on Penitentiary.

The bill—

H. R. No. 264. To amend an act to prohibit the sale, gift, or barter, of intoxicating liquors, within two miles of the Academy, in the town of Jasper, Walker county, Alabama, approved December 14, 1874;

Was read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 265. To authorize the commissioners appointed under the act of 17th December, 1874, to adjust and liquidate claims against the State of Alabama, to substitute new for certain old bonds bearing date May 1st, 1833;

Was read the second time and referred to the Committee on Finance.

The Senate bill—

s. No. 116. To attach the west half of township twenty, range six, east, in Perry county to the county of Hale;

Was read the second time and referred to the Committee on Counties and County Boundaries.

Mr. Brown offered the following resolution:

Resolved, That the Committee on Ways and Means be and they are hereby instructed to report a bill, or bills, that will in effect amend the Revenue Code so as to abrogate exemptions, such as are provided for in sub-division 8 of section 1 of chapter 2 of the Revenue Code, and also to reduce the general rate of taxation to six-tenths of one per cent.

Hr. Muldon moved to amend the resolution so as to require the Committee to report on the exemptions first.

Pending its consideration, by leave, Mr. McKleroy introduced a bill---

H. R. No. 267. To require emigration agents, plying their vocation in Barbour county, to pay a license tax;

Which was read once and ordered to a second reading on to-morrow.

The House resumed the consideration of the resolution of Mr. Brown.

Mr. Darden moved to take a recess until 3 o'clock this evening.

Mr. Harris moved to adjourn until to-morrow morning 10 o'clock.

The longest time being first put.

Carried.

And the House adjourned until to-morrow morning 10 o'clock.

TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Saturday, December 9, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens,

of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---93.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Booth for one day.

By leave, Mr. Brown withdrew the notice of change of rule 10.

BILLS ON SECOND READING.

The bill—

H. R. No. 267. To require emigration agents, plying their vocation in Barbour county to pay a license tax ;

Was read the second time and referred to the Committee on Ways and Means.

SENATE BILLS.

The Senate bills—

s. No. 35. To amend section 3736 of the Revised Code.

s. No. 107. To fix and regulate the time of holding the Circuit Courts of the Twelfth Judicial Circuit of Alabama.

s. 122. To amend section 2358 of the Revised Code ;

Were severally read once and ordered to a second reading on to-morrow.

UNFINISHED BUSINESS.

By leave Mr. Brown withdrew the resolution offered by him on yesterday and pending at the hour of adjournment.

Mr. Dean moved to reconsider the vote by which the bill—

H. R. No. 73. To create the new county of Cullman out of portions of Blount, Winston and Morgan, and to provide for the organization of said county ;

Was ordered to be sent forthwith to the Senate.

On motion of Mr. Crump, the motion to reconsider was laid on the table.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Harrington—

H. R. No. 268. To amend an act entitled an act to amend an act to create a lien in favor of owners of stallions or

jacks, for the amount of the season for such stallions or jacks.

Also,

H. R. No. 269. To amend sub-division 6 of Section 2716 of the Revised Code.

By Mr. Kelly—

H. R. No. 270. To amend Section 2 of the act to prescribe the manner in which the exemption of property from sale or execution, or other process of any court, in this State may be waived, approved March 4, 1876.

By Mr. Welch—

H. R. No. 271. To amend section 4338 of the Revised Code.

By Mr. Jolly—

H. R. No. 272. To amend an act to establish a court of quarter session for Perry county.

By Mr. Herndon—

H. R. No. 273. To make partial payment to the Commissioners appointed by the Governor to revise the statutes of the State.

Also—

H. R. No. 274. To regulate the practice of medicine in the State of Alabama.

By Mr. Glennon—

H. R. No. 275. To provide for the redemption of lands sold for taxes and purchased by the State.

By Mr. Hubbard—

H. R. No. 276. Prescribing the time within which proceedings for the allotment of dower must be commenced by the widow of decedents.

Also—

H. R. No. 277. To put in force section 25 of article 5 of the Constitution.

Also—

H. R. No. 278. To require in the allotment of dower to assign the entire dower interest in the lands not embraced in the homestead, and to increase the dower interest therein by the amount or value of it in the homestead.

By Mr. McMath—

H. R. No. 279. To repeal an act, entitled an act, to amend section 1 of an act to provide for the funding of the domestic debt of this State, approved December 19, 1873, which amendatory act was approved February 13, 1875, so far as the same requires the taxes assessed for county pur-

poses in Shelby county, to be paid in the obligations of the State of Alabama.

By Mr. Dillon—

H. R. No. 280. To prevent the levy of an execution or attachment on the crop of a tenant in certain cases.

Also—

H. R. No. 281. To prevent injury to domestic animals.

By Mr. Denson—

H. R. No. 283. To amend section 2060 of the Revised Code which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Brown offered the following joint resolution, which was adopted:

H. R. No. 282. Whereas, material changes in the Revenue Code, are contemplated by the present General Assembly—and, whereas, such change may materially affect the duties of tax-assessors,

Therefore, be it resolved by the House, the Senate concurring, That the Auditor be, and he is hereby instructed to issue a circular to the tax-assessors of this State advising them not to begin their assessments for the year 1877 before the 1st day of February next.

Mr. Herndon introduced—

H. R. No. 284. Joint memorial to the Congress of the United States asking for the passage of an act approving the act of the General Assembly of Alabama, authorizing the construction of a breakwater in the harbor and bay of Mobile,

Which was read and adopted.

Mr. Titcomb offered the following resolution, which was adopted:

Resolved, That the joint resolution to suspend for a limited time the operation of section 6 article 13 of the Constitution, which was referred to a joint committee, to be composed of the Education Committees of the Senate and House be recalled for reference to House Committee on Education.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 9, 1876.

Mr. Speaker :

The Senate has receded from its amendment in reference

to the House joint resolution on adjournment, and has adopted the House joint resolution to adjourn on the 15th inst., and re-assemble on the 9th of January, 1877—

And has originated and passed—

s. No. 139. To authorize the revival of chancery suits in certain cases.

And has amended as therein shown and passed House bill—

H. R. No. 148. To prohibit the sale or otherwise disposing of intoxicating beverages within one mile of the court house in Marshall county.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, December 9, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives—

H. R. No. 70. An act to regulate the terms of the circuit court of St. Clair county in the 12th judicial circuit of Alabama.

H. R. No. 78. An act to make defendants in proceedings to keep the peace competent witnesses in their own behalf.

Respectfully,

IKE H. VINCENT,
Private Secretary.

EXECUTIVE MESSAGE.

The Governor's message transmitting the report of the State Geologist was taken up, and on motion of Mr. Brown was referred to the Committee on Public Printing, with instructions to report the number of copies that should be printed.

REPORTS FROM STANDING COMMITTEES.

Mr. Brown, from the Committee on Local Legislation reported a substitute for the bill—

H. R. 170. To enable the people of Franklin county to

permanently locate the seat of justice of said county.

The substitute being entitled—

An act to authorize the people of Franklin county to vote on the question of removing the county seat of said county and to permanently locate the same.

The substitute was adopted and the bill ordered to be engrossed for a third reading on to-morrow.

Also, from same committee, reported favorably to the bill—

H. R. No. 201. To incorporate the Marengo County Grange.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 72, nays 10.

Yeas—Mr. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White.—72.

Nays—Messrs. Blevins, Cashin, Cockrell, Gilmer, Harris, Johnston, Lewis, Mayberry, Rice, Stephens, of Perry—10.

Mr. Stevens, of Coffee, from the Committee on Federal Relations, reported favorably to the joint memorial—

H. R. No. 155. To the Congress of the United States, asking for an amendment to the United States homestead act.

The Joint memorial was adopted.

Mr. Jackson, from the Committee on Public Roads and Highways, reported a substitute for the bill—

H. R. No. 35. To provide more effectually for Working the Public Roads.

Mr. McMath moved to amend by adding to section 1 the following: "provided that any person liable to work upon the public roads may relieve himself from the performance of said duty by paying to the over-seer of the road on which he is warned to work one dollar in currency for

each day that the other persons warned to work on said road work thereon; provided further, that said amount shall be paid within three days after the work on said road, at the time he was so warned to work has been finished, which amount so paid shall be used by the said over-seer for the purpose of keeping the road, of which he has charge, in repair; and if the party fails to pay the said amount, he shall be liable as if he made default in working the road.

Mr. Kennedy moved to amend the amendment by adding: "provided, that if such over-seer misappropriates the money received by him under this act, he shall be guilty of embezzlement, and on conviction shall be punished as if he had stolen it.

Mr. Harris moved to lay the amendments on the table.

Mr. Blevins called for division of the question.

The amendment was laid on the table.

Mr. Betts moved to amend by inserting the words: "for each day for which he is in default," in the tenth line section 1.

Adopted.

Mr. Manasco, of Walker, moved to amend by striking out "two" and inserting "one," and also strike out "five" and insert "three."

Mr. Stevens, of Dallas, moved to lay the amendment on the table.

Lost.

And the amendment was adopted.

Mr. Cashin moved to amend by striking out "20 days" and inserting "10 days."

Lost.

Mr. DeLemos moved to amend by adding: "provided that the money so paid shall be apportioned to the public school in the township in which the road lies;

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Mayberry moved to amend by adding "and the said fine when collected shall be equally divided among those who promptly attended and worked the road. "

Which, on motion of Mr. Kirkland, was laid on the table.

Mr. Cashin moved to reconsider the vote by which the amendment of Mr. McMath was tabled.

On motion of Mr. Blevins the motion to reconsider was laid on the table.

Mr. Hansburger called for the previous question.

The call was sustained.

The substitute was adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Beers, from the Committee on Appropriations, reported favorably to the bill—

H. R. No. 258. To provide for the payment of expenses of the joint committee to visit the Insane Asylum and the University.

The bill was ordered to a third reading forthwith, read the third time and passed.—Yeas 85, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Shields, Smith Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—85.

On motion of Mr. Hubbard the bill—

H. R. No. 25. In relation to the feeding of prisoners in jail;

Which was made the special order for 12 to-day, was made the special order for 12 Monday.

Mr. Manasco, of Walker, from the Committee on Military, reported favorably to the bill—

H. R. No. 163. For the more efficient organization of the volunteer militia of Alabama.

The bill was ordered to a third reading forthwith, and read the third time.

On motion of Mr. Betts, the vote by which the bill was ordered to a third reading was reconsidered, the bill laid on the table and 150 copies ordered printed.

Mr. Gere, from the Committee on Agriculture and Commerce, reported favorably to the bill—

H. R. No. 204. To require warehousemen to give the full weight in their receipts of cotton in bales weighed for storage.

On motion of Mr. Rice, the bill was laid on the table.

COMMITTEE OF CONFERENCE.

The House agreed to the request of the Senate for the appointment of a new committee of conference upon the disagreement of the two Houses on the House amendments to the Senate bill—

s. No. 1. To define the subordinate officers of the General Assembly, and to provide for their election, appointment and compensation. Committee on the part of the House---Messrs.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 9, 1876.

Mr. Speaker :

The Senate has passed joint resolutions as follows :

s. No. 169. To authorize the Auditor to draw his warrant on the Treasurer to pay the expenses of Joint Committee to visit the penitentiary.

J. M. CARMICHAEL,
Secretary.

Mr. Jolly offered the following resolution :

Resolved, That on and after Monday, the 11th day of December, this House shall adjourn at 2 o'clock, P. M., and reassemble at 3½ and a half o'clock, P. M., and so continue until the recess on the 15th of December.

Mr. Speake moved to amend by way of substitute, as follows :

Resolved, That after to-day until the recess, this House shall meet at half past nine in the morning, and hold evening sessions.

The substitute was adopted.

Mr. Cockrell moved to amend by adding after the word "morning" "adjourn at 1½ P. M."

Mr. Hubbard moved to lay the resolution and amendments on the table.

On motion of Mr. Rice, the House adjourned until Monday morning, 10 o'clock.

TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Monday, December 11, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Groves, of the house.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Brodnax, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White.---95.

Journal of Saturday read and approved.

Leave of absence was granted Mr. George for five days and Mr. Baker two days.

BILLS ON SECOND READING.

The bills—

H. R. No. 268. To amend an act entitled an act to amend an act to create a lien in favor of the owners of stallions or jacks for the amount of the season for such stallions or jacks;

H. R. No. 270. To amend section 2 of an act to prescribe the manner in which the exemption of property from sale on execution or other process of any court in this State may be waived, approved March 4th, 1876 ;

H. R. No. 272. To amend an act to establish a court of quarter sessions for Perry county;

H. R. No. 276. Prescribing the time within which pro-

ceedings for the allotment of dower must be commenced by the widow of decedents;

H. R. No. 278. To require in the allotment of dower to assign the entire dower interest in the lands not embraced in the homestead and to increase the dower interest therein by the amount or value of it in the homestead;

H. R. No. 280. To prevent the levy of an execution or attachment on the crop of a tenant in certain cases;

H. R. No. 283. To amend section 2060 of the Revised Code;

And the senate bills—

s. No. 35. To amend section 3736 of the Revised Code;

s. No. 122. To amend 2358 of the Revised Code;

Were severally read the second time and referred to the Judiciary Committee.

The bills—

H. R. No. 269. To amend subdivision 6 of section 2716 of the Revised Code;

H. R. No. 281. To prevent injury to domestic animals;

Were severally read the second time and referred to the Committee on Agriculture and Commerce.

The bills—

H. R. No. 271. To amend section 4338 of the Revised Code;

H. R. No. 279. To repeal an act to amend section 1 of an act to provide for the funding of the domestic debt of the State, approved December 19th, 1873, which amendatory act was approved February 13th, 1875, so far as the same requires the taxes assessed for county purposes in Shelby county, to be paid in the obligations of the State;

Were severally read the second time and referred to the Committee on Finance.

The bills—

H. R. No. 273. To make partial payments to the commissioners appointed by the Governor to revise the statutes of the State;

H. R. No. 275. To provide for the redemption of lands sold for taxes and purchased by the State;

Was severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 274. To regulate the practice of medicine in the State of Alabama;

Was read the second time and referred to a special com-

mittee of five, and two hundred copies ordered printed.

Committee, Messrs. McMath, McKleroy, Brown, Cunningham, of Lauderdale, and Beers.

The Bill—

H. R. No. 277. To put in force section 25 of article five of the Constitution ;

Was read the second time and referred to the Committee on Fees and Salaries.

The Senate bill—

s. No. 107. To fix and regulate the time of holding the circuit courts of the 12th judicial circuit of Alabama ;

Was read the second time and referred to a special committee composed of members from the 12th circuit.

The Senate bills—

s. No. 139. To authorize the revival of chancery suits in certain cases.

s. No. 169. Joint Resolution to authorize the Auditor to draw his warrant on the Treasurer to pay the expenses of joint committee to visit the penitentiary ;

Were severally read once and ordered to a second reading on to-morrow.

The House concurred in the amendment of the Senate to the bill.

H. R. No. 148. To prohibit the sale, or otherwise disposing of intoxicating beverages within one mile of the courthouse, in Marshall county.

Yeas 80, nays 3.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---80.

Nays---Messrs. Lewis, Rice and Stephens, of Perry—3.

The House next proceeded to the consideration of the resolution on fixing the hours of meeting and adjourning.

The question pending being the amendment of Mr. Cockrell.

Mr. Betts moved to amend the amendment, so that it would "adjourn not before 1½ P. M."

The amendment and amendment to the amendment were both lost.

Mr. Cashin moved to lay the resolution on the table.

Lost.

Mr. Harris moved to strike out that part of the resolution providing for evening sessions.

Mr. Hubbard moved to amend by fixing 3½ P. M. as the time of meeting in the evening.

Mr. Fletcher moved to amend by striking out "3½" and inserting "7."

On motion of Mr. Harris the amendments were laid on the table.

Mr. Lewis moved to amend by adding: "unless otherwise ordered by the House."

On motion of Mr. DeLemos, the resolution was laid on the table.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced.

By Mr. Crews—

H. R. No. 285. To prevent the killing or abuse of stock.

By Mr. Gray—

H. R. No. 286. To allow persons in certain cases to obtain licenses to retail spiritous or vinous liquors, and to keep billiard and pool tables for a less period than one year, in the counties of Choctaw and Washington.

By Mr. Denman—

H. R. No. 287. To more efficiently require sheriffs and other officers to execute writs of arrests placed in their hands.

By Mr. Hudson—

H. R. No. 288. To regulate and reduce the taxes in the State of Alabama.

By Mr. Welch—

H. R. No. 289. To repeal an act to authorize the court of county commissioners of Elmore county to levy a special tax to pay off and cancel the indebtedness of said county, approved March 18, 1875.

By Mr. Betts—

H. R. No. 290. To amend sections 3 and 5 of chapter 7, of the revenue code.

By the same—

H. R. No. 291. To amend section 17 of chapter 8 of the revenue code.

By Mr. McMath—

H. R. No. 292. To amend sections 2130 and 2131 of the revised code.

By Mr. Mott—

H. R. No. 293. To prescribe the manner in which mileage shall be paid;

Which bills were severally read once, and ordered to a second reading on to-morrow.

Mr. Herndon offered the following resolution, which was adopted:

Resolved, That a committee consisting of one member from each Congressional district be appointed, to which shall be referred section 35 of the revised code, with instructions to prepare and report a substitute therefor.

Mr. McMath moved to suspend the regular order of business for the purpose of taking up the bill---

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock, or cattle of any kind.

The House refused to suspend.

Mr. McKleroy offered the following resolution:

Resolved by the House of Representatives, That after to-day, and until after the recess which has been agreed on by the General Assembly, the call of the counties shall be suspended from the regular order of business, and no new bills or resolutions shall be introduced except by leave of the House.

Mr. Lewis moved to lay the resolution on the table.

Lost.

Mr. Blevins moved to indefinitely postpone the further consideration of the resolution.

And the resolution was lost.

Mr. DeLemos offered the following resolution:

Which, on motion of Mr. Speake, was laid on the table.

Resolved, That the Committee on Public Buildings be, and is hereby instructed to report to this House a bill protecting the lives of our citizens, on account of the insecurity of many places of amusements, such as theatres, etc., in this State.

REPORTS FROM STANDING COMMITTEES.

Mr. Gere, from the Committee on Agriculture and Commerce, reported favorably with amendment to the bill—

H. R. No. 194. To create and enforce a lien for blacksmiths in this State.

Amend by striking out the 3d section.

The amendment was adopted.

Hr. Baldwin moved to lay the bill on the table.

Lost.

And the bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Betts the vote by which the bill was ordered to be engrossed was reconsidered.

Mr. DeLemos moved to lay the bill on the table.

Lost---Yeas 25, nays 63.

Yeas—Messrs. Allen, Baldwin, Beers, Booth, Cashin, Cockrell, DeLemos, Gilchrist, Gilmer, Gullett, Glennon, Harris, Hobson, Jackson, Mayberry, McWhorter, Prowell, Ramsey, Rice, Saunders, Shields, Smith, Stephens, of Perry, and Townsend—25.

Nays—Messrs. Baker, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Goldthwaite, Glenn, Gray, Grove, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hndson, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, Robinson, Rodgers, Ross, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—63.

On motion of Mr. Hubbard the bill was recommitted.

The House next proceeded to the consideration of the bill---

H. R. No. 25. In relation to the feeding of prisoners in jail;

The question pending being the amendment reported by the committee, viz.:

To strike out "twenty-five cents," and insert "thirty cents."

Mr. Shields moved to postpone the further consideration of the bill until 15th January next.

Lost.

Mr. Harris moved to amend the amendment by striking out "thirty" and inserting "thirty-five."

Mr. Glennon moved to recommit the bill to the Judiciary Committee with instructions to report as early as practicable.

Lost.

On motion of Mr. Jackson the amendment of Mr. Harris was laid on the table.

The amendment reported by the committee was then adopted.

Mr. Denson moved to amend as follows: "provided that this act shall not affect present incumbents."

Which, on motion of Mr. Fletcher, was laid on the table.

On motion of Mr. Denson the bill was recommitted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
December, 11, 1876.

Mr. Speaker :

The Senate has passed the following House bills :

H. R. No. 125. To amend sub-division 18 of section 414 of the Revised Code, in regard to printing comptroller's reports.

H. R. No. 126. To amend sub-division 8 of section 422 of the Revised Code, in regard to printing Treasurer's reports.

And has originated and passed the following bill :

s. No. 181. To provide for the appointment of a commissioner to complete the adjustment of all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State.

J. M. CARMICHAEL,
Secretary.

ENROLLED BILLS.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker in the presence of the House immediately after their titles had been publicly read, signed said bills :

H. R. No. 148. To prohibit the sale or otherwise disposing of intoxicating beverages within one mile of the court house in Marshall county.

H. R. No. 125. To amend sub-division 18, section 414 of the Revised Code, in regard to printing comptroller's reports.

H. R. No. 126. To amend sub-division 8 of section 422 of the Revised Code, in regard to printing Treasurer's reports.

REPORTS CONTINUED.

Mr. Gere, from the Committee on Agriculture and Commerce, reported favorably with amendment to the bill---

H. R. No. 179. To prevent the cutting, falling or placing timber in any river or its tributary in this State.

Amend by adding to section 1 the following:

"Provided that the provisions of this act shall not hinder or interfere in any way whatever with the rafting of saw logs or hewn or square timber to mill or to market, or with the rafting of lumber to market.

The amendment was adopted.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 59, nays 31.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denson, Dillon, Espy, Forwood, Foshee, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Hubbard, Hudson, Kelly, Kirkland, Lewis, McDavid, McKinstry, Prowell, Ramsey, Rice, Robinson, Rodgers, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch---59.

Nays---Messrs. Baldwin, Blevins, Brown, Cashin, Crump, Doster, Gullett, Griffin, Hobson, Holloway, Jackson, Jolly, Jones, Johnston, Kennedy, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McFarlane, McMath, Ross, Saunders, Snoddy, Weatherford, White---31.

By leave, Mr. McKleroy, from the Committee on Education, reported favorably with amendment to the bill---

H. R. No. 254. For the temporary regulation of the public school system.

Amend by additional section as section 4.

Pending its consideration,

Mr. Crump moved to take a recess until 3½ P. M. this evening.

Mr. Prowell moved to adjourn until 10 o'clock to-morrow morning.

The longest time being put first.

Carried.

And the House adjourned until to-morrow morning 10 o'clock.

TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,

TUESDAY, December 12, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Stringfellow.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch
—96.

Journal of yesterday read and approved.

The Speaker announced the following as the committee under the resolution of Mr. Herndon :

First district, Mr. Herndon.

Second district, Mr. Hubbard.

Third district, Mr. Kennedy.

Fourth district, Mr. Hobson.

Fifth district, Mr. Hansburger.

Sixth district, Mr. Kirkland.

Seventh district, Mr. Baker.

Eighth district, Mr. Townsend.

BILLS ON SECOND READING:

The bill---

H. R. No. 285. To prevent the killing or abuse of stock;
Was read the second time, and referred to the Committee on Agriculture and Commerce.

The bills---

H. R. No. 286. To allow persons, in certain cases, to obtain licenses to retail spirituous or vinous liquors, and to keep billiard and pool tables for a less period than one year, in the counties of Choctaw and Washington.

H. R. No. 288. To regulate and reduce the taxes in the State of Alabama.

H. R. No. 289. To repeal an act to authorize the court of county commissioners, of Elmore county, to levy a special tax to pay off and cancel the indebtedness of said county, approved March 18, 1876.

H. R. No. 290. To amend sections 3 and 5 of chapter 7 Revenue Code.

H. R. No. 291. To amend section 17 of chapter of the 8 of the Revenue Code;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills---

H. R. No. 287. To more efficiently require sheriffs and other officers to execute writs of arrests placed in their hands.

H. R. No. 292. To amend sections 2120 and 2131 of the Revenue Code;

And the Senate bill---

s. No. 139. To authorize the revival of chancery suits in certain cases;

Were severally read the second time and referred to the Judiciary Committee.

The bill---

H. R. No. 293. To prescribe the manner in which mileage shall be paid to members of the General Assembly;

Was read the second time.

Mr. Stevens, of Dallas, moved to amend by adding: "provided, however, that this act shall not apply to members of the present General Assembly."

The bill with the amendment was referred to the Joint Committee on Mileage.

The Senate---

s. No. 169. Joint resolution to authorize the Auditor to

draw his warrant on the Treasurer to pay the expenses of the Joint Committee to visit the penitentiary;

Was read the second time and referred to the Committee on Appropriations.

SENATE MESSAGES.

The Senate bill—

S. No. 181. To provide for the appointment of a commissioner to complete the adjustment of all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State;

Was read once and ordered to a second reading on tomorrow.

UNFINISHED BUSINESS.

The House then proceeded to the consideration of the bill—

H. R. No. 254. For the temporary regulation of the public school system.

The question pending being the amendment reported by the committee, viz: to add additional section.

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed, and ordered to be sent to the Senate without engrossment—Yeas 78, nays.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---78.

RECONSIDERATION.

On motion of Mr. Stevens, of Coffee, the vote by which the bill—

H. R. No. 179. To prevent the cutting, falling, or placing timber in any river or its tributaries in this State;

Passed, was reconsidered;

Also the vote ordering the bill to a third reading, and the bill was recommitted.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced.

My Mr. McKinstry—

H. R. No. 294. To require the Auditor to draw his warrants upon the Treasurer for an amount sufficient to replace the record books of Pickens county, recently destroyed by fire.

By Mr. Hubbard—

H. R. No. 295. To amend section 34 of an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88, of an act to regulate elections in the State of Alabama, approved March 3, 1875, which said amendment was approved March 6th, 1876.

By Mr. Mott—

H. R. No. 296. To repeal an act to amend section 1 of an act to prohibit the sale or giving away of spirituous or vinous liquors, in certain cases, approved March 7th, 1876;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Ramsey moved to suspend the regular order of business for the purpose of taking up the bill—

H. R. No. 129. To regulate the responsibility of railroads for damages to stock, &c.

To House refused to suspend.

Mr. Hollis made the following report:

The committee to whom was referred the joint resolution, appointing a committee to investigate the propriety of abolishing the office of County Superintendent, have had the same under consideration, and instruct me to report the following resolution:

Resolved by this committee, That in our opinion the office of County Superintendent is indispensable to the efficient maintenance of public schools in this State.

On motion of Mr. Hubbard, the report was received and laid on the table.

REPORTS FROM STANDING COMMITTEES.

Mr. Goldthwaite, from the Committee on Fees and

Salaries, reported back to the House with request that they be referred to the Judiciary Committee.

The bills—

H. R. No. 160. To secure the fees of officers of court and solicitors in certain cases, etc.

H. R. No. 84. More efficiently to provide for the payment of officers' fees in certain cases.

They were so referred.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 12, 1876.

Mr. Speaker:

The Senate has passed the House bill—

H. R. No. 226. To amend the charter of the president and directors and company of the Bank of Mobile, and extend the provisions thereof.

And has concurred in the House joint resolution ;

H. R. No. 282. Instructing Auditor to issue circulars to tax assessors.

And has concurred in the report of the Committee of Conference on Senate bills:

s. No. 1. To define the subordinate officers of the General Assembly, and to provide for their election, appointment and compensation ;

And ordered the same forthwith to the House without engrossment.

And has originated and passed Senate bills:

s. No. 31. To secure more effectually competent and well qualified jurors in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry and Bullock.

s. No. 187. To authorize the city council of the city of Montgomery to adjust all claims of indebtedness now outstanding against said city

And ordered the same forthwith to the House.

J. M. CARMICHAEL,
Secretary.

REPORTS RESUMED.

Mr. Herndon, from the Judiciary Committee, reported favorably to the Senate bill—

s. No. 11. To amend section 2 of an act to establish the city court of Selma, approved February 8, 1875.

Mr. Rice moved to postpone the further consideration of

the bill until Thursday next, and make it the special order for 11 o'clock.

Lost.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 75, nays 14.

Yeas—Messrs. Speaker, Allen, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—75.

Nays—Messrs. Baldwin, Booth, Blevins, Cashin, Cockerell, Gilmer, Harris, Johnston, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, and Stephens, of Perry—14.

Mr. Hubbard presented the following report:

Mr. Speaker :

The Committee of Conference to which was referred the Senate bill No. 1, to define the subordinate officers of the General Assembly, and to provide for their election, appointment and compensation, and the matters of disagreement between the two Houses ;

Have had the same under consideration, and beg leave to report the accompanying substitute and recommend its passage.

W. H. C. HAMBERS,

Chairman of Senate Committee.

JOHN P. HUBBARD,

Chairman of House Committee.

The report of the Committee of Conference was adopted—Yeas 69, nays 18.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Betts, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gilchrist, Gilmer, Gold-

thwaite, Gullett, Glenn, Gray, Grove, Hansburger, Harrington, Herndon, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Smith, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Wall, Weatherford, White—69.

Nays—Messrs. Bishop, Booth, Cashin, Cockrell, Crump, Denman, Gibson, Griffin, Harris, Hollis, Lewis, Mayberry, Rice, Snoddy, Speake, Stephens, of Perry, Ussery, and Welch—18.

Mr. Herndon, from the Judiciary Committee, reported a substitute for the Senate bill—

s. No. 47. To amend section 447 of the Revised Code.

The substitute was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 69, nays 8.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jackson, Jones, Kelly, Kennedy, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—69.

Nays—Messrs. Booth, Blevins, Cashin, Cockrell, Johnston, Lewis, Mayberry, and Snoddy—8.

Also, from same committee, reported favorably to the Senate bill—

s. No. 36½. To amend an act to regulate the trial of misdemeanors in Lauderdale county, approved March 7, 1876.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 72, nays 3.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gil-

christ, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, Prowell, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—72.

Nays—Messrs. Johnston, Lewis, and Stephens, of Perry---3.

Also, from same committee, favorably with amendment to the bill---

H. R. No. 151. To regulate the number of persons drawn to serve as grand and petit jurors for the county of Marion.

Amend the first section by striking out the following words, "grand jurors, and fifteen persons to serve as petit jurors to serve as grand and."

The amendment was adopted.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 74, nays 6.

Yeas---Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denison, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—74.

Nays—Messrs. Cashin, Harris, Johnston, Lewis, Mayberry, and Stephens, of Perry---6.

The caption was amended to correspond.

Also, from same committee, reported favorably with amendments to the bill---

H. R. No. 167. To amend section 3625 of the Revised Code.

Amend as follows:

1. By inserting after the words "watering place" in the 4th line from the bottom the following, viz.: "such as Blount Springs, and places of like character."

2. By inserting after words "watering place" in the second line from the bottom, the following, viz.: "and not in a room in which spirituous or vinous liquors are retailed."

3. By adding at the end the following, viz.: "and the burden of proof shall be upon the defendant as to the facts contained in this proviso."

The amendments were adopted.

Mr. Hubbard moved to lay the bill on the table.

Lost---Yeas 26, nays 56.

Yeas---Messrs. Baker, Betts, Bishop, Booker, Butler, Brodnax, Brown, Crump, Denman, Forwood, Gilchrist, Goldthwaite, Gullett, Glenn, Holloway, Hubbard, Hudson, McDavid, Ramsey, Robinson, Rodgers, Ross, Speake, Stevens, of Coffee, Wall, Welch---26.

Nays---Messrs. Allen, Baldwin, Baxter, Beard, Beers, Blevins, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Crews, Darden, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, Gere, Gibson, Gray, Griffin, Grove, Harris, Herndon, Hobson, Hollis, Jackson, Jolly, Jones, Johnston, Kelly, Kirland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McKinstry, McKleroy, McMath, Prowell, Rice, Saunders, Shields, Smith, Snoddy, Stevens, of Dallas, Stephens, of Perry, Ussery and White---56.

The bill was then ordered to a third reading forthwith, read the third time and passed---Yeas 55, nays 32

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Bishop, Blevins, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Crews, Darden, Dennon, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Gere, Gray, Griffin, Grove, Harris, Herndon, Hobson, Hollis, Jackson, Jolly, Jones, Johnston, Kelly, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McKinstry, McKleroy, McMath, Prowell, Rice, Shields, Smith, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery and White---55.

Nays---Messrs. Baker, Betts, Booker, Butler, Brodnax, Brown, Crump, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Holloway, Hubbard, Hodson, McDavid, McDuffie, McFarlane, McWhorter, Ramsey, Robinson, Rodgers, Ross, Snoddy, Speake, Stevens, of Coffee, Taylor, Wall, Wetherford and Welch---32.

The bill was ordered to be sent to the Senate forthwith without being engrossed.

Mr. Herndon, from same committee, reported favorably with amendments to the bill—

H. R. No. 166. To amend section 3620 of the Revised Code.

Amend as follows:

1. By inserting after the word "structure," in the sixth line from the bottom, the following: "except a room in which spirituous or vinous liquors are retailed."

2. By inserting after the words "watering place," in the third line from the bottom, the following, viz: "such as Blount Springs, and places of like character."

3. By adding after the word "playing," in the last line, the following, viz: "and in any trial under this act the burden of proof shall be on the defendant to show the defense herein provided for."

The amendments were adopted.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 52, nays 32.

Yeas—Messrs. Speaker, Allen, Baxter, Beers, Bishop, Blevins, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Crews, Darden, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Gere, Gray, Griffin, Grove, Harris, Herndon, Hobson, Hollis, Jackson, Jolly, Jones, Johnston, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McKle-roy, McMath, Prowell, Rice, Shields, Smith, Snoddy, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Usery and White—52.

Nays—Messrs. Baker, Betts, Booker, Butler, Brodnax, Brown, Crump, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Holloway, Hubbard, Hudson, Kennedy, Mayberry, McDuffie, McFarlane, McWhorter, Ramsey, Robinson, Rodgers, Speake, Stevens, of Coffee, Titcomb, Wall, Weatherford and Welch—32.

The bill was ordered to be sent forthwith to the Senate without engrossment.

Mr. Herndon, from the same committee, reported favorably with amendment to the Senate bill—

s. No. 5. To repeal chapter 7 of title 3 of part 4, and section 3931 of the Revised Code, so far as the same relates to the counties of Lee and Dallas.

Amend as follows :

1st. In the caption insert the words : "and Autauga," between the words "Lee" and "counties."

2d. Add to the end of section 1 the words : "and Autauga," so as to make the provisions of the bill apply also to Autauga county.

On motion of Mr. McMath, the further consideration of the bill and report was postponed until 12 M. to-morrow, and made the special order for that hour.

Mr. Herndon made the following report :

The Committee on Judiciary, to which was referred the bill—

H. R. No. 51. To repeal an act entitled an "act to prevent woods burning in Washington county, approved February 10th, 1875," with instructions to inquire whether such bills require the notice as prescribed in the Constitution, instruct me to report that such bills do not require the notice prescribed in the Constitution, and also instruct me to report favorably with an amendment thereto, and recommend the passage of the bill.

THOS. H. HERNDON,
Chairman.

The report was received and the amendment reported, viz :

Add an additional section as section 2 ;

Was adopted.

The bill was then ordered to a third reading, forthwith, read the third time and passed.

Yeas 73, nays 4.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brwon, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Harris, Herndon, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titecomb, Usery, Wall, Weatherford, Welch and White—73.

Nays—Messrs. Cashin, Cockrell, Hndson, and Stephens, of Perry—4.

Mr. Herndon, also submitted the following report :

Mr. Speaker :

The Judiciary Committee to which was referred a resolution of this House, to ascertain and report whether an act, entitled "an act to establish, organize and regulate a system of public instruction for the State of Alabama" approved March 8th 1876, was a valid law, beg leave to report that they have had the same under investigation and instruct me to report, that in their opinion said act is null and void.

THOS. H. HERNDON,
Chairman.

The report was received.

Mr. Jolly moved to suspend the regular order of business for the purpose of taking up Senate bills on first reading and having them read the first time to-day.

Lost.

Mr. Denson, from the Committee on the Judiciary, reported a substitute for the bill.

H. R. No. 54. To prescribe the time, within which appeals may be taken by bill of exceptions.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed.

Yeas 78, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Harris, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White---78.

Nays—Messrs. Johnston, Lewis, and Stephens, of Perry—3.

Mr. Stevens, of Coffee, from Judiciary Committee reported favorably to the bill.

H. R. No. 193. To amend section 4343 of the Revised Code.

On motion of Mr. Hubbard, the further consideration of the bill was postponed until 12½ o'clock to-morrow, and made the special order of that hour.

Mr. Ramsey moved to suspend the regular order of business in order to take up the bill—

H. R. No. 129. To regulate the liability of railroads for the killing, &c., of stock.

Lost.

By leave, Mr. Betts from the Committee on Ways and Means reported favorably to the bill.

H. R. No. 273. To make partial payment to the Commissioners, appointed by the Governor, to revise the statutes of the State.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 76, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Herndon, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—76.

Nays—Messrs. Blevins and Johnston.—2.

The bill was ordered to be sent forthwith to the Senate without engrossment.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, December 12, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives—

H. R. No. 148. An act to prohibit the sale, or otherwise disposing of intoxicating beverages within one mile of the court house in Marshall county.

H. R. No. 125. An act to amend subdivision 18 of section 414 of the Revised Code in regard to printing Comptroller's report.

H. R. No. 126. An act to amend subdivision 8 of section 422 of the Revised Code in regard to printing Treasurer's report.

H. R. No. 14. An act to refund license tax in certain cases.

Respectfully,

IKE H. VINCENT,
Private Secretary.

Mr. Betts, from Committee on Ways and Means, reported back to the House the Bill.

H. R. No. 267. To require emigration agents in Barbour county to pay a tax, with the view of having it referred to a special committee.

It was referred to a special committee of five.

Committee—Messrs. McKleroy, Gere, Prowell, Fletcher and Glenn.

Mr. Goldthwaite, from committee on fees and salaries, reported back to the House with request to have it referred to the committee on Accounts and Claims.

H. R. No. 206. The bill for the relief of James M. Saunders of Pike county.

It was so referred.

Mr. Hubbard moved to take a recess until 3½ P. M.

Mr. Prowell moved to adjourn until 10 o'clock to-morrow morning.

Lost.

Yeas 20, nays 62.

Yeas—Messrs. Baldwin, Baxter, Beers, Blevins, Cashin, Crump, Dean, DeLemos, Gere, Johnston, Kirkland, Lewis, Mayberry, Prowell, Rodgers, Shields, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry—20.

Nays—Messrs. Speaker, Allen, Baker, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Haddon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly,

Jones, Kelly, Kennedy, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlae, McKinstry, McKleroy, McMath, McWhorter, Robinson, Ross, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—62.

Mr. Lewis moved to adjourn until 9 o'clock to-morrow morning.

Lost.

The motion of Mr. Hubbard prevailed and the House took a recess until 3½ P. M.

EVENING SESSION.

The House met pursuant to adjournment.

On motion of Mr. Hubbard, the regular order of business was suspended in order to take up the Senate bill—

s. No. 31. To secure more effectually competent and well-qualified jurors in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry and Bullock.

The bill was read once and ordered to a second reading on to-morrow.

REPORTS FROM COMMITTEES.

Mr. Herndon, from the Judiciary Committee, reported favorably to the bill.—

H. R. No. 57. To regulate the trial of misdemeanors in Jefferson county.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 76.

Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Jones, Johnston, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White.—76.

Mr. Herndon, from same committee, reported favorably to the bill—

H. R. No. 169. To enable circuit judges more promptly to dispose of the business of their courts.

The bill was ordered to a third reading forthwith, read the third time and passed.

• Yeas 63, nays 1.

Yeas—Messrs. Speaker, Baker, Baldwin, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gilchrist, Gullett, Glenn, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Jones, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Perry, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White.—63.

Nay. Mr. Blevins—1.

Also, from same committee, reported favorably to the bill—

H. R. No. 187. To regulate the sessions of the city court of Mobile:

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 75:

Yeas—Messrs. Speaker, Baker, Baxter, Beard, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Deman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Jones, Johnston, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—75.

Also, from same committee, reported a substitute for the bill—

H. R. No. 190. To regulate the sale of State witness certificates.

The substitute was adopted.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 75, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—75.

Nays—Messrs. Johnston, Lewis and Stevens, of Perry—3.

Also, from same committee, reported favorably to the bill—

H. R. No. 198. To provide for and regulate in criminal cases appeals from justices' and county courts.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 81, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Jones, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—81.

Also, from same committee, reported favorably with amendment to the bill---

H. R. No. 283. To amend section 2060 of the Revised Code;

Amend as follows:

Strike out of section 1 all after the words "if necessary" and insert in lieu thereof the following: Except in cases where by existing law provision is made for exemptions in favor of or concerning a widow, or child, or children, or heirs distributees, or legatees. But it is hereby made the duty of the executor or administrator to plead, and to insist upon the statute of limitations as well as the statute of non-claim in every case, where such plea or defence can possibly be made available."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 78, nays 4.

Yeas—Messrs. Speaker, Allen, Baker, Baxter Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—78.

Nays—Messrs. Cashin, Fletcher, Mayberry, and Stephens, of Perry—4.

Also, from same committee, favorably with amendment to the bill—

H. R. No. 177. To regulate the collection of costs in criminal cases in which defendants are sentenced to the penitentiary.

Amend as follows:

Amend by additional section as section 6.

Amend section 1 by inserting after the word "cover" in the 10th line the words "the amount of the State witness certificates, issued in the cause and."

Amend section 1 by striking out the words "each of them, crediting each with the amount so due him," in the

7th and 8th lines, and inserting in lieu thereof the words, "such clerk, crediting him, with the total amount of such bill of costs." Also by striking out the word "officers" in the 5th line from the top of the second page, and inserting in lieu thereof the word "persons." Also by striking out the words "on account of such convict during the time that he is so hired out," and inserting in lieu thereof the words "in conveying such convict to the penitentiary."

The amendments were adopted and the bill ordered to be engrossed for a third reading on to-morrow.

Also, from the same committee, reported adversely to the following Senate bills, which were severally concurred in:

s. No. 114. To amend section 136 of the Revised Code.

s. No. 22. To provide for the trial of criminal cases on particular days.

s. No. 100. To amend sections 1613 and 1614 of the Revised Code in relation to entering the satisfaction of mortgages.

Also, from same committee, reported favorably with amendment to the bill—

H. R. No. 235. To prohibit county commissioners, justices of the peace, and notaries public, from serving as grand jurors.

Amend by adding after the word "public" in 5th line, section 1, the words "having the jurisdiction of a justice of the peace."

The amendment was adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Dillon, from special committee, reported favorably to the Senate bill—

s. No. 107. To fix and regulate the time of holding the circuit courts of the 12th judicial circuit of Alabama.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 75, nays 3.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffir, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie,

McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Shiels, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White--75.

Nays---Messrs. Johnston, Lewis, and Mayberry---3.

Mr. Herndon, from the Judiciary Committee, reported favorably with amendment to the bill---

H. R. No. 158. To repeal an act to fix the time for trial of criminal cases in circuit court of Choctaw county, approved February 10th, 1875.

Amend by additional section, as section 2.

The amendment was adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Harris the House adjourned until to-morrow morning 10 o'clock.

TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,

WEDNESDAY, December 13, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Stringfellow.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shiels, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White--92.

Leave or absence was granted Messrs. Baxter, Dean,

Manasco, of Walker and of Winston, for two days.

Mr. McKleroy, from Special Committee, reported favorably with amendment to the bill---

H. R. No. 267. To require emigration agents, plying their vocation in Barber county, to pay a license tax;

Amend as follows :

In 1st section strike out the first sentence and insert:

"That no person shall be permitted to act as an emigration agent in the counties of Barbour or Russell, in this State, without first paying to each of the said counties in which they may so operate, a license tax of one hundred dollars."

2. Amend 2d section by inserting in 3rd line the words: "either of" between the words "in" and "said."

Amend said section, 5th line, in same manner, also strike out "county" where it occurs, and insert "counties." Strike out the words "said county of Barbour," in 3rd section, and insert "the county in which the same is paid."

Amend caption by inserting after the word "county" the words: and other counties therein named."

The amendments were adopted.

The bill was amended by making the provisions of the act apply also to the counties of Lee, Talladega, Macon, Bullock, Chambers, Sumter, Pickens, Choctaw, Pike, Conecuh and Clarke.

Mr. Denson moved to amend by striking out section 2.

Mr. Baldwin moved to lay the amendment on the table. Lost.

The amendment was adopted.

Mr. Rice moved to amend by adding: "provided, however, that no citizen of this State shall be deemed an emigration agent within the meaning of this act;"

On motion of Mr. McKleroy, the amendment was laid on the table.

Yeas 59, nays 28.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Bears, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Gere, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hubbard, Hudson, Jackson, Jones, Kennedy, Kirkland, Mott, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers,

Smith, Speake, Stevens, of Coffee, Titcomb, Townsend, Wall, Weatherford, Welch and White---59.

Nays---Messrs. Baldwin, Baxter, Bishop, Booth, Blevins, Cashin, Cockrell, Crump, Denman, DeLemos, Foshee, Gibson, Gilmer, Gullett, Harris, Herndon, Jolly, Johnston, Kelly, Lewis, Mayberry, Manasco, of Winston, Muldon, McMath, Rice, Stevens, of Dallas, Stephens, of Perry and Ussery---28.

Mr. Lewis moved to amend by adding: provided that this act shall not operate as violative of sections 23 and 24 of article 4 of the Constitution of this State;

Which, on motion of Mr. McKleroy, was laid on the table.

Yeas 68, nays 21.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gildchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Smith, Titcomb, Townsend, Wall, Weatherford, Welch and White---68.

Nays---Messrs. Baldwin, Baxter, Bishop, Booth, Butler, Blevins, Cashin, Cockrell, Denman, DeLemos, Harris, Johnston, Lewis, Mayberry, Manasco, of Winston, Rice, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry and Ussery---21.

Mr. Fletcher called for the previous question.

The call was sustained;

And the bill ordered to a third reading forthwith, read the third time and passed and ordered forthwith to the Senate.

Yeas 52, nays 39.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Booker, Butler, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Goldthwaite, Glenn, Gray, Grove, Harrington, Holloway, Hubbard, Jackson, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, Mc-

Duffie, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Stevens, of Coffee, Titcomb, Townsend, Welch, and White—52.

Nays—Messrs. Baldwin, Baxter, Bishop, Booth, Blevins, Brodnax, Brown, Cashin, Cockrell, Crump, Denman, Gilchrist, Gilmer, Gullett, Glennon, Griffin, Hansburger, Harris, Herndon, Hobson, Hudson, Jolly, Johnston, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, KcMath, Rice, Ross, Smith, Snoddy, Speake, Stevens of Dallas, Stephens, of Perry, Ussery, Wall and Weatherford—39.

NOTICE OF RECONSIDERATION.

Mr. Kennedy gave notice that he would move to reconsider the vote by which the House concurred in the adverse report of the Judiciary Committee on the Senate bill—

s. No. 114. To amend section 136 of the Revised Code.

Mr. Darden gave a similar notice as to Senate bill—

s. 22. To provide for the trial of criminal cases upon particular days.

Mr. Betts gave notice that on to-morrow he would move to change the rule prescribing the order of business as follows:

After "House and Senate bills on their reading in the order in which they were read the first time, add: "and then bills on their third reading."

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 13, 1876.

Mr. Speaker :

The Senate has originated and passed bills as follows:

s. No. 143. To incorporate the Deshler Female Institute at Tuscumbia, Alabama.

s. No. 99. To ratify and confirm the Alabama Coal and Slackwater Company.

And has amended as therein shown and passed the House bill—

H. R. No. 3. To repeal sub-division nine (9) of section seven (7) of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

J. M. CARMICHAEL,
Secretary.

SPECIAL ORDER.

The hour of 12 o'clock having arrived the House proceeded to the consideration of the Senate bill—

s. No. 5. To repeal chapter seven of title three of part four, and section 3931 of the Revised Code, so far as the same relate to the counties of Dallas and Lee.

The question pending being the amendments reported by the committee.

The amendments were adopted.

Mr. Kennedy moved to amend by adding the following at the close of section 1:

"Provided that the judges of the county courts of the respective counties herein named, are hereby authorized and empowered to dispose of and try all causes now pending in their respective courts, as fully and completely as if this act had not passed. And further that from any judgment of conviction in any of said causes the right of appeal to the circuit or city court of the county wherein such cause is tried, is hereby reserved to the defendant or defendants therein, in all respects, as now provided by law, notwithstanding this repealing act."

The amendment was adopted, and the bill ordered to a third reading forthwith.

Mr. Booth moved to postpone the further consideration of the bill until 10th January next.

Lost.

On motion of Mr. Booth the vote by which the bill was ordered to a third reading was reconsidered, and on motion of Mr. Rice its further consideration was postponed and made the special order for 1 o'clock, January 9th, 1877.

BILLS ON SECOND READING.

The bill—

H. R. No. 294. To require the Auditor to draw his warrant upon the Treasurer for an amount sufficient to replace the record books of Pickens county, recently destroyed by fire, was read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 295. To amend section 34 of an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved 3d March, 1875, which said amending act was approved March 6, 1876;

Was read the second time and referred to the Committee on Privileges and Elections.

The bill—

H. R. No. 296. To repeal an act to amend section 1 of an act to prohibit the sale or giving away of spirituous or vinous liquors in certain cases, approved March 7, 1876;

Was read the second time and referred to the Committee on Local Legislation.

The Senate bill—

s. No. 31. To secure more effectually competent and well qualified jurors, in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry, and Bullock;

Was read the second time.

Amendments were offered by Messrs. Stevens, of Dallas, and Cockrell.

On motion of Mr. Brown the bill and the amendments were referred to the Judiciary Committee, with instructions to report to morrow at 11 o'clock.

The Senate bill—

s. No. 181. To provide for the appointment of a commissioner to complete the adjustment of all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State;

Was read the second time, and on motion of Mr. Brown referred to a special committee of three.

Committee, Messrs. Brown, McMath and Betts.

SENATE BILLS.

The Senate bills---

s. No. 99. To ratify and confirm the Alabama Coal and Slackwater Company;

s. No. 143. To incorporate the Deshler Female Institute at Tuscumbia, Alabama;

s. No. 187. To authorize the city council of Montgomery to adjust all claims of indebtedness now outstanding against said city;

Were severally read once and ordered to a second reading on to-morrow.

The House concurred in the Senate amendment to the bill---

H. R. No. 3. To repeal sub.division 9 of section seven of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Yeas 72, nays 3.

Yeas—Messrs. Speaker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Titcomb, Ussery, Wall, Weatherford, White—72.

Nays—Messrs. Blevins, Cashin, Cockrell—3.

On motion of Mr. Hubbard the bill—

H. R. No. 193. To amend section 4343 of the Revised Code;

Which was made the special order for 12½ o'clock to-day, was recommitted.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Gilchrist—

H. R. No. 297. To require sheriffs to execute summons for jurors;

By Mr. Blevins—

H. R. No. 299. To repeal an act to amend section 1 of an act to prevent the sale, &c., of liquors within three miles of McKenzie's church, Monroe county, and with Harrell's Cross Roads Beat, in Dallas county, approved March 18, 1875;

By Mr. Betts—

H. R. No. 300. To amend sub-division 6 of section 4 of chapter 3 of the Revenue Code;

Also—

H. R. No. 301. To amend section 9 of chapter 6 of the Revenue Code;

Also—

H. R. No. 302. To require tax collectors to pay into the Treasury all currency collected by them, and to provide for the payment of interest on the public debt.

Also—

H. R. No. 303. To regulate the trial of misdemeanors in Madison County.

By Mr. Muldon—

H. R. No. 304. To amend an act to fix the term of office of the Aldermen of the City of Mobile, and to provide for filling vacancies therein.

By Mr. Glennon—

H. R. No. 305. To compensate Attorneys in certain cases.

By Mr. Gere—

H. R. No. 306. To amend an act for the relief of Ben DeLemos, passed by the Board of Education, approved December 11th, 1874.

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Denson offered Joint Resolution—

H. R. No. 298. To authorize the Joint Committee on the new Revised Code to sit during recess.

Which was read, and adopted.

MESSAGE FROM THE GOVERNOR.

Gentlemen of the Senate and of the House of Representatives :

I herewith transmit the report of the Commissioners appointed under the act "To liquidate and adjust all claims against the State of Alabama arising from bonds issued or endorsed in the name of the State," approved 17th December, 1874, and it affords me much pleasure to invite your attention to its contents.

There can be no reasonable fear that the adjustment made by the Commissioners will not be speedily carried into full effect; and I congratulate the people of the State upon their fortunate deliverance from the oppressive burdens that would have rested upon them but for this adjustment.

That part of the compromise and adjustment that relates to the two millions of dollars of straight gold bonds loaned by the State of Alabama to the Alabama & Chattanooga railroad company, was by the act approved 20th March, 1875, "To protect the State in the matter of the franchise and property of the A. & C. R. R. Co. &c.," referred to myself as Governor of the State for settlement; hence the questions growing out of that unfortunate loan by the

State, are not mentioned by the Commissioners in their report now submitted to the General Assembly.

I hope and confidently believe that upon your re-assembling, on the 9th of January next, I will be able to report a full and perfect carrying out of the settlement made by me with the holders of those bonds, thus showing a perfect disconnection of the State from all complications with that road, and the disastrous transactions connected with it, as well as all questions growing out of it.

In closing this message I trust I may be permitted to express my grateful feelings and many obligations to Hons. T. B. Bethea and L. W. Lawler, appointed by and associated with me, for their energy, wisdom and faithfulness in the discharge of the various and responsible duties devolved upon them by the law by virtue of which they were appointed.

Respectfully,

GEO. S. HOUSTON,
Governor.

Executive Office,
Montgomery, Ala., Dec. 13, 1876.

OFFICE OF COMMISSIONERS,
Montgomery, Dec. 13, 1876.

To the Governor of Alabama :

As required by section twenty-one of an act of the General Assembly, approved 23d February 1876, the undersigned respectfully submit the following report of what has been done by them under said act.

The funding act provides that the new bonds, designated as class A and class B; shall be dated 1st July 1876. Prior to that time they could not be issued, and none were delivered to us until after that date. After the delivery to us of a portion of the bonds we gave notice by advertisement in newspapers published in New York and London "of the time and place when and where" the exchange and substitution of bonds could be made. An agency was established in the city of New York on the 24th day of July last, and continued until the 24th day of October, under the supervision of one of the Commissioners. The bonds exchanged during the existence of that agency embraced about two-thirds of all the bonds which the act authorized

to be exchanged in New York; and including the amount exchanged at this office, nearly three-fourths of the recognized straight bonds have been retired by the substitution of new bonds of class A and class B.

The issue of class A is limited to \$7,000,000, and of this amount we have issued \$4,655,900, and have retired old bonds of the State, exclusive of those bearing 7 per cent. interest, amounting to \$5,054,970, besides past due interest—as follows:

Act 15th December, 1865, and 13th February, 1866.

Five per cent. bonds due in New York in

1886.....\$ 344,900

Five per cent. bonds due in London in 1886... 44,457

Six per cent. bonds due in London in 1886... 48,508

Act 18th January, 1866.

Five per cent. bonds due in New York in 1883 1,341,000

Act 6th February, 1867.

Five per cent. bonds due in London in 1886... 442,380

Act 17th February, 1870.

Six per cent. bonds due in London in 1890.... 388,725

Act 19th February, 1872.

Five per cent. bonds due in New York in 1892 94,000

Act 9th February, 1852.

Five per cent. cent bonds due in New York in
1872..... 17,000

Act 15th December, 1865.

Eight per cent. bonds (Patton issue) due in 1886 598,500

Act 12th August, 1868.

Eight per cent. bonds (Smith issue) due in 1888 349,500

Act 15th December, 1871.

Eight per cent. bonds (Lindsay issue) due in
1892..... 689,000

Act 25th February, 1873.

Eight per cent. bonds (Lewis issue) due in 1893 537,000

Act 8th March, 1871.

Eight per cent. bonds issued by Governor Lind-
say and due 1st of December 1871..... 130,000

\$5,054,970

The interest which had accrued up to 1st of July¹ last on the bonds taken up of the foregoing issues, was cancelled in accordance

with the funding act without any substitution of bonds, and amounted to about....	979,000
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Total.....	\$6,024,970
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In converting bonds payable in London in pounds sterling into bonds payable in New York in lawful money of the United States we have been governed by an act of Congress which fixes the value of a pound sterling at \$4 86 13-20.

It is proper for us to state that of the amount taken up of the issue of 25th February, 1873, one hundred and twenty-nine bonds of \$1,000 each were surrendered by F. Wolffe, assignee in bankruptcy, upon the payment of \$45,000 by the State under authority conferred by section six of the funding act. This extinguishes all claim or claims against the State growing out of the purchase of the Alabama & Chattanooga Railroad at bankrupt sale by Gov. Lindsay.

The settlement with the holders of bonds which had been hypothecated with Henry Clews & Co., was made on the basis of \$570,63 for each bond of 1,000. Of the 650,000 hypothecated with Clews & Co., and by them transferred to other parties, we have retired \$579,000, leaving \$71,000 outstanding.

There are now outstanding of the various issues of recognized straight bonds, bearing 5, 6 and 8 per cent. interest, about \$2,200,000, (exclusive of \$253,500 belonging to the Agricultural and Mechanical College, (now held by the State as a trust fund under the present Constitution) and there remains unused of the new bonds of class A., and not authenticated by the endorsement of either of the commissioners, \$2,344,100---showing that the \$7,000,000 of class A will be ample to take up all the recognized straight bonds as intended by the act.

The \$650,000 of the issue of 25th February, 1873, held by Josiah Morris & Co., at the date of our first report, still remain in their possession; but they belong to the State and constitute no part of its indebtedness. Up to this time Morris & Co., have declined to surrender them to the State, under the plea that it would not be safe for them to do so unless so ordered by some court of competent jurisdiction. Legal steps have therefore been taken to compel the delivery of the bonds to the State.

Of class B, the issue of which is limited to \$596,000, we

have issued \$456,000, and we have retired 7 per cent. bonds issued to railroad companies under what is known as the \$4,000 per mile act, amounting to \$984,000, leaving only \$172,000 of that issue outstanding.

Governor Lewis issued to the South and North Alabama Railroad Company \$72,000 without any return of endorsed bonds, which we think was premature and unauthorized. We therefore required those bonds to be returned to the State without any substitution of bonds of class B—to which the company assented.

The agreement between the Commissioners and the agents of the holders of the endorsed bonds of the Alabama and Chattanooga Railroad Company has been approved and accepted by the bondholders, and only awaits actual exchange of bonds. The delay in surrendering the bonds is attributable to the litigation pending between the bondholders and other creditors of the company, in which the State has no interest. Such delay will not defeat the settlement with the State, nor affect its rights.

We have no recommendation to submit in regard to any claim preferred against the State which is not embraced in the funding act, or in our late special report. Nothing has occurred to change the views expressed in our first report.

Pursuant to the provisions of the twentieth section of the funding act, we have caused all bonds taken up by us to be registered and cancelled, and they have been burned, in the presence of the Secretary of State and Attorney-General, after being compared by them with the registration, as shown by their certificates, to be found in the book of record. The same book contains a full registration of all bonds issued by us of each class and denomination, and said book has been delivered to the Treasurer of the State as the law requires, and can be inspected by such committee as the General Assembly may appoint for that purpose, as well as for the purpose of examining our transactions generally as Commissioners.

In another book, which we have also deposited in the office of the Treasurer, we have registered all the bonds and coupons turned over to us by the State Treasurer as directed in section twenty of the funding act. The bonds and coupons thus registered as well as a considerable amount of mutilated notes issued by the State bank and branches, have been burned in the presence of the Secretary of State and Attorney General. The bonds so des-

troyed amount to \$11,564,000, and the coupons to \$3,797,016.

The mutilated bank notes could not be accurately described, nor the exact amount determined, as many of them were so mutilated as to render it impossible to determine the date or amount.

During the investigation ordered by a joint resolution of the General Assembly, approved 8th March, 1876, Arthur Bingham, late Treasurer of the State, presented to us a package, the contents of which he said were unknown to him. At his request we opened it, and found that it contained uncanceled past due coupons which had been paid by the State, or which had been detached from bonds at the date of their issue, amounting to \$79,580. We had the coupons properly registered, and then burned as required by law.

One of the Commissioners, while in New York, called on Duncan, Sherman & Co., and Henry Clews & Co., former fiscal agents of the State, and requested them, respectively, to deliver to him, as authorized by the funding act, any and all bonds and coupons remaining in their possession as agents of the State. None were delivered to the commissioner at that time, but since then Duncan, Sherman & Co., have forwarded to us one hundred and eleven bonds of \$1,000 each, which had been taken up by them while acting as fiscal agents of the State. The bonds have been registered and destroyed.

Mr. Henry Clews, of the firm of Henry Clews & Co., declined to give the commissioner any information connected with the agency of his firm. We believe that firm still retains or has improperly transferred coupons which ought to have been surrendered and cancelled immediately after their payment, but we have no means of obtaining accurate information in regard to the matter. The State should not in any manner recognize any claim founded upon the possession of such coupons.

On the 17th instant our term of service will expire. For two years we have served the State in faithful efforts to adjust and liquidate its indebtedness, which we trust will not be without profit to the present and succeeding generations. The volume of indebtedness of the State including State Obligations will be reduced to about \$9,500,000, exclusive of trust funds. The whole amount of bonds authorized to be issued under the act of 23d February last of classes A. B. and C. is confined to \$8,596,000. As already shown, it

will not be necessary to use all of class A—and class C. is limited to \$1,000,000. It is therefore safe to say that the whole bonded debt will not exceed \$8,500,000. If to this amount be added \$1,000,000 of State Obligations, it will be seen that the adjusted debt will not exceed \$9,500,000.

The annual interest on the new bonds cannot exceed \$189,800 per annum for five years—being less than the annual interest on the entire *ante bellum* bonded debt. When the annual interest on the new bonds is compared with the enormous amount of interest which accrued annually on all straight bonds outstanding at the time the funding process commenced, to say nothing of the endorsed bonds the taxpayers will realize what an immense burden has been removed, and no longer feel despondent as to the future, so far as the public debt is concerned.

The average rate of interest on the new bonds for thirty years is 3 89, or little more than the rate paid by Great Britain, and much less than the rate paid by the United States. Ours is the only State in the Union which pays less than 6 per cent., except Massachusetts, which has recently sold some bonds bearing five per cent.

We present to the General Assembly and to the people of Alabama, the foregoing facts and results with entire satisfaction. We think the wisdom of the last General Assembly, in attempting to solve a difficult financial problem, has been fully vindicated. It seems to us that those who honestly doubted then as to the practicability of the scheme of adjustment devised by us and ratified by the General Assembly, must now have their doubts removed and be inspired with hope and confidence, and we trust that throughout the State there will be but one aim and one purpose, and that such united aim and purpose will be never to permit the honor and good name of the State to be tarnished by any default in the payment of interest on the adjusted debt. The principal will not mature for thirty years, and can then be renewed at the pleasure of the State; but the interest we hope and believe will be promptly paid as it matures. This we are satisfied can be done without oppression, and without long delaying a reduction of the rate of taxation.

In concluding our final report we beg to say that although the sum of \$15,000 was appropriated to defray the expenses of executing the act of 23d February last, we have only

expended \$7,910.23, as may be seen by an examination of the records of the office of the Auditor.

Respectfully submitted,

GEO. S. HOUSTON,
LEVI W. LAWLER,
T. B. BETHEA,
Commissioners.

REPORTS FROM STANDING COMMITTEES.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill—

H. R. No. 214. To amend section 3 of an act to allow tax collectors to give separate bonds for the collection of ordinary State and county taxes.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 68, nays 6.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, Denson, Dillon, Doster, Espy, Forwood, Foshee, Gere, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, White—68.

Nays—Messrs. Blevins, Cashin, Cockrell, Johnston, Lewis, and Stephens of Perry—6.

Mr. Kennedy moved to suspend the regular order of business for the purpose of taking up the motion to reconsider the vote by which the House concurred in the adverse report of the committee on the Senate bill—

s. No. 5. To amend section 136 of the Revised Code.
Lost.

ENROLLED BILLS.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bill, and the Speaker in the presence of the House and immediately after their titles had been publicly read, signed said bill:

H. R. No. 226. To amend the charter of the president

and directors and company of the Bank of Mobile, and extend the provisions thereof.

The House next proceeded to the consideration of the bill---

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock or cattle of any kind.

The bill was read the third time and passed—Yeas 60, nays 22.

Yeas—Messrs. Allen, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Butler, Blevins, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Forwood, Foshee, Gere, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Mott, Muldon, McDavid, McDuffie, McKinstry, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Speake, Stevens, of Dallas, Stephens, of Perry, Titcomb, Ussery, Wall, White—60.

Nays—Messrs. Speaker, Baker, Betts, Brown, Cashin, Cunningham, of Lauderdale, Denson, DeLemos, Fletcher, Gilmer, Griffin, Harris, Jackson, Lewis, McDonald, McFarlane, McKleroy, Smith, Snoddy, Stevens, of Coffee, Townsend, and Weatherford—22.

By leave, Mr. Beers, from the Committee on Appropriations, reported favorably to the Senate—

s. No. 169. Joint resolution to authorize the Auditor to draw his warrant on the Treasurer to pay the expenses of joint committee to visit the penitentiary.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Butler, Blevins, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of

Dallas, Titcomb, Townsend, Ussery, Wall, Weatherford, White—72.

By leave, Mr. Harrington, from Committee on Finance, reported favorably to the bill---

H. R. No. 154. To amend an act to authorize the commissioners' court of Russell county to appoint a board of Finance, and to issue the bonds of said county for payment of the indebtedness thereof.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 69, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gilchrist, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Titcomb, Townsend, Ussery, Wall, Weatherford, White---69.

On motion of Mr. Townsend the House adjourned until to-morrow morning 10 o'clock.

TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, December 14, 1876.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Stringfellow.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard,

Hudson, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---91.

Journal of yesterday read and approved.

Leave of absence was granted Messrs. Caldwell, Glenn, and Ussery for two days.

BILLS ON SECOND READING.

The bill—

H. R. No. 303. To regulate the trial of misdemeanors in Madison county.

Was read the second time.

Mr. Fletcher moved to amend by additional section.

The amendment was adopted and the bill referred to the Judiciary Committee.

The bills—

H. R. No. 305. To compensate Attorneys in certain cases.

H. R. No. 297. To require sheriffs to execute summons for jurors,

Were severally read the second time and referred to the Committee on Judiciary.

The bills—

H. R. No. 300 To amend subdivision 6, of section 4, of chapter 3 of the Revenue Code.

H. R. No. 301. To amend section 9, of chapter 6, of the Revenue Code.

H. R. No. 302. To require tax collectors to pay into the treasury all currency collected by them, and to provide for the payment of interest on the public debt.

Were severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 299. To repeal an act to amend section 1 of an act to prevent the sale of liquors within three miles of McKenzie's church in Monroe county, and in the beat, known as Harrell's Cross Roads in Dallas county, approved March 8, 1875.

Was read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 304. To amend an act to fix the term of office of the aldermen of the City of Mobile, and for filling vacancies therein.

And the Senate bills—

s. No. 99. To ratify and confirm the Alabama, Coal and Slackwater.

s. No. 143. To incorporate the Deshler Female Institute, at Tuscumbia, Alabama.

Were severally read the second time and referred to the Committee on Corporations.

The bill—

H. R. No. 306 To amend an act, for the relief of Ben DeLemos, passed by the Board of Education, approved December 11th, 1874.

Was read the second time and on motion of Mr. McKle-roy, was laid on the table.

The Senate Bill—

s. No. 187. To authorize the City Council of Montgomery to adjust all claims of indebtedness, now outstanding, against said city.

Was read the second time and referred to the Committee on Finance.

The amendment of Mr. Betts, to the rules of the House, prescribing the order of business, was adopted.

Mr. Brown from Special Committee reported favorably to the Senate bill—

s. No. 181. To provide for the appointment of a Commissioner to complete the adjustment of all claims against the State of Alabama, arising from bonds issued, or endorsed in the name of the State.

The bill was ordered to a third reading forthwith, read the third time and passed, and ordered forthwith to the Senate.

Yeas 74, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson,

Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Shields, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, and Welch---74.

BILLS ON THIRD READING.

The bill—

H. R. No. 170. To authorize the people of Franklin county to vote on the question of removing the county seat of said county, and to permanently locate the same.

Was read the third time and passed.

Yeas 74, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Shields Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---74.

Nay—Mr. Cockrell.

The bill—

H. R. No. 35. To provide more effectually for working the public roads.

Was read the third time, and passed.

Yeas 72, nays 10.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Shields, Smith, Speake,

Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, and White--72.

Nays—Messrs. Baldwin, Booth, Blevins, Cashin, Gilmer, Harris, Lewis, Mayberry, Snoddy and Stephens, of Perry—10.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 14, 1876.

Mr. Speaker :

The Senate has passed the following House bills :

H. R. No. 161. To repeal an act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within six miles of Laurel Church, in the county of Marengo, so far as it relates to Dixon's Mills election precinct.

H. R. No. 110. To amend the charter of the Citizens' Mutual Insurance Company of Mobile.

And has adopted House joint resolution, as follows :

H. R. No. 284. Joint resolution and memorial to the Congress of the United States, asking for the passage of an act approving the act of the General Assembly of Alabama authorizing the construction of a Break Water in Bay and Harbor of Mobile.

And has concurred in the House amendment to the bill—

s. No. 47. To amend section 447 of the Revised Code.

And has adopted a joint resolution, raising a joint Committee to take into consideration the expediency of re-districting the State.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, December 14, 1876.

Gentlemen of the House of Representatives :

I send for your consideration the report of the commissioners made under a joint resolution, approved March 8th, 1876.

Respectfully,

GEO. S. HOUSTON,
Governor.

OFFICE OF COMMISSIONERS.

Montgomery, Dec. 14, 1876.

To the Governor of Alabama :

The joint resolution of the General Assembly, which originated in the House of Representatives, and is numbered 488, imposes upon the undersigned the duty of ascertaining "by investigation what disposition was made of the amounts drawn by David P. Lewis, former Governor of Alabama, in three several warrants numbered, respectively, 3,067, 3,068 and 3,070, and aggregating in amount the sum of \$484,346 76," and also "what disposition was made of the sum of \$88,000 reported to have been received by Robert B. Lindsay, as Governor of Alabama, from Lewis Rice and William J. Haralson, receivers of the Alabama and Chattanooga Railroad."

We have discharged the duty imposed upon us in regard to the three warrants numbered 3,067, 3,068 and 3,070, and herewith hand you the testimony taken by us. As we believe it establishes a large balance due the State from Arthur Bingham, late Treasurer of the State, and as civil and criminal suits have been instigated against the said Bingham, on account of such defalcation as an officer of the State, we forbear to give in this report the substance of the testimony taken by us, and leave the General Assembly to take such action as may be deemed best to protect the interest of the State.

As to the item of \$88,000 alleged to have been received by Gov. R. B. Lindsay from Lewis Rice and Wm. J. Haralson, receivers of the Alabama and Chattanooga Railroad, we did not take action immediately after the reference to us, because, at that time, Gov. Lindsay's health was precarious and he was unable to travel. Since then we notified him to appear before us, and his reply accompanies this report. It appears that Gov. Lindsay is still in bad health and that he cannot safely leave his home.

We also wrote to Hon. Wm. J. Haralson, John C. Stanton and J. W. Burke, requesting them to be present on the day appointed for the investigation, but none of them appeared. Judge Haralson explains his connection with the matter in the letter which we transmit herewith. Mr. J. C. Stanton acknowledged the receipt of our notice and replied that he could not be here at the time appointed (13th November), but would respond by his presence at an early

day; but up to this time we have not seen him. As he resides beyond the jurisdiction of the State we have no power to compel his presence, or the presence of any other witness who resides beyond the limits of the State.

It appears from the letters of Gov. Lindsay and Judge Haralson that the transactions which we are instructed to investigate took place in New York, and consequently those who have personal knowledge in regard to them, except Gov. Lindsay, cannot be reached by us, and we are therefore unable to prosecute the investigation.

Gov. Lindsay says: "I executed my receipt in favor of Judge Haralson, Rice & Co., for a certain amount—I think for \$75,000—which I gave to Col. Gindrat to be delivered to them on the payment of the amount." There is on file in our office a paper which indicates that Gov. Lindsay accounted to the State for that sum, but beyond this we have no evidence as to the amount received by him, or the disposition made of it.

The undersigned having discharged the duty assigned them, so far as it has been in their power, ask to be discharged from further investigation.

Respectfully submitted,

GEO. S. HOUSTON,
LEVI W. LAWLER,
T. B. BETHEA,
Commissioners.

Mr. Herndon, from the Judiciary Committee, reported favorably to the Senate bill—

s. No. 31. To secure more effectually, competent and well qualified jurors, in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry and Bullock.

Mr. Hubbard called for the previous question.

The call was sustained and the bill was ordered to a third reading forthwith, read the third time and passed—yeas 62, nays 21.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gildchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Herndon, Hollis, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter,

Prowell, Ramsey, Robinson, Rodgers, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Welch and White---62.

Nays—Messrs. Baldwin, Booth, Blevins, Cashin, Cockrell, DeLemos, Gibson, Gilmer, Harris, Hobson, Holloway, Hudson, Johnston, Mayberry, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, and Ussery—21.

The bill was ordered to be sent forthwith to the Senate.

ENROLLED BILLS.

Mr. Fletcher, from the committee on enrolled bills, reported as correctly enrolled the following bill, and the Speaker, in the presence of the House, immediately after the title had been publicly read, signed said bill—

H. R. No. 3. To repeal sub-division nine (9) of section seven (7) chapter nine (9) of an act to establish a revenue code for the State of Alabama, approved March 6th 1876.

Also,

H. R. No. 282. Joint resolution instructing the Auditor to issue a circular to tax assessors.

SIGNING SENATE BILLS.

The Speaker, in the presence of the House, immediately after the bills had been publicly read, signed the following Senate bills:

s. No. 1. To define the subordinate officers of the General Assembly and to provide for their election, appointment and compensation.

s. No. 11. To amend section 2 of "an act to establish the city court of Selma," approved February 8, 1875.

s. No. 107. To fix and regulate the time of holding the circuit courts of the 12th judicial circuit of Alabama.

s. No. 36½. To amend an act to regulate the trial of misdemeanors in Lauderdale county, approved March 7th, 1876.

s. No. 170. Joint resolution to authorize the distribution of Geological Surveys.

And

s. No. 181. To provide for the appointment of a commissioner to complete the adjustment of all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Dec. 14, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives—

H. R. No. 3. To repeal sub-division nine of section seven, chapter nine, of an act to establish a revenue code for the State of Alabama, approved March 6th, 1876,

H. R. No. 226. To amend the charter of the President and Directors and Company of the Bank of Mobile, and extend the provisions thereof.

Respectfully,

IKE H. VINCENT,
Private Secretary.

RECONSIDERATION.

On motion of Mr. Darden, the vote by which the adverse report of the Judiciary Committee to the Senate bill—

s. No. 22. To provide for the trial of criminal cases upon particular days,

Was concurred in on yesterday, was reconsidered.

On motion of Mr. Stevens, of Coffee, the bill was recommitted.

BILLS ON THIRD READING—RESUMED.

The bill—

H. R. No. 177. To regulate the collection of costs in criminal cases in which defendants are sentenced to the penitentiary ;

Was read the third time.

Mr. Rice moved to lay the bill on the table.

Pending the question of laying on the table—

On motion of Mr. Townsend, the House adjourned until to-morrow morning 10 o'clock.

TWENTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, December 15, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Crump, of the House.

On the call of the roll there were present :

Messrs. Speaker, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Cashin, Cockrell, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Denson, Doster, Espy, Fetcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Gilmer, Gullett, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jones, Johnston, Kennedy, Kirkland, Lewis, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Wall, Weatherford, Welch and White—74.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Hansburger, for to-day, also Mr. Robinson for to-day on account of sickness.

Messrs. Rice and Lewis were allowed to record their votes against the passage of the Senate bill—

s. No. 31. To secure more effectually competent and well-qualified jurors in the counties of Montgomery, &c.

Mr. Townsend was allowed to change his vote upon said bill from "aye" to "no."

BILLS ON THIRD READING.

The bill—

H. R. No. 178. To repeal an act to fix the time for trial of criminal cases in the circuit court of Choctaw county, approved February 10, 1875.;

Was read the third time and passed.

Yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gil-

christ, Gilmer, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch and White—75.

The bill—

H. R. No. 235. To prohibit county commissioners, justices of the peace, and notaries public, from serving as grand jurors; Was read the third time and passed.

Yeas 57, nays 12.

Yeas—Messrs. Speaker, Allen, Baker, Beers, Betts, Booker, Butler, Brodnax, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denson, Dillon, Doster, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Herndon, Hobson, Holloway, Hubbard, Jackson, Jolly, Kelly, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Rice, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Wall, Welch and White.—58.

Nays—Messrs. Bishop, Booth, Blevins, Brown, Denman, Espy, Gilchrist, Gibson, Hudson, Johnston, Kennedy and Lewis—12.

By leave Mr. Harrington, from the Committee on Finance, reported favorably to the Senate bill—

s. No. 187. To authorize the city council of Montgomery to adjust the claims of indebtedness now outstanding against said city.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 67, nays 0.

Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Mott, McAdory, McDavid, McDonald, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Saunders, Shields, Smith,

Speake, Stevens, of Coffee, Stephens, of Dallas, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch and White—67.

On motion of Mr. Muldon, the bill—

H. R. No. 163. For the more efficient organization of the volunteer militia of Alabama.

Was taken from the table and recommitted.

The House then proceeded to the consideration of the Senate joint resolution---

Raising a joint committee to take into consideration the expediency of redistricting the State.

On motion of Mr. Glennon, the resolution was laid on the table.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 15, 1876.

Mr. Speaker :

The Senate has passed the following House bills :

H. R. No. 258. To provide for the payment of expenses of joint committee to visit Insane Asylum and State University.

H. R. No. 203. To amend an act entitled an act to give incorporate towns the power to limit the running of railroad trains and engines to a rate of speed not exceeding six miles per hour, while running through their corporate limits, approved March 2d, 1875.

H. R. No. 115. To change the boundary lines between the counties of Talladega and Clay, in this State.

H. R. No. 187. To repeal an act entitled and act requiring the justices of the peace of Geneva and Randolph counties to act as apportioners and supervisors of public roads in their respective beats, so far as the same applies to Geneva county ; and to re-enact sections 1323, (1142), 1324, (1143), 1325, (1144), 1326, (1144), 1327, (1145), of the Revised Code, so far as the same relates to the county of Geneva.

H. R. No. 139. To amend an act to prevent the use of insulting or vulgar language in the presence of families and females, approved March 15th, 1875.

H. R. No. 217. To amend an act entitled an act to authorize the Mayor of the city of Mobile to take cognizance of, and try cases of misdemeanor, and discharge the duties of justices of the peace, approved November 28th, 1866.

H. R. No. 65. To amend an act entitled an act to regulate the term of service of jurors, approved March 15th, 1875.

And was adopted.

H. R. No. 155. Joint memorial of the General Assembly of Alabama to the Congress of the United States, relative to the patenting of lands entered under the homestead law of 1862, entitled an act to secure homesteads to actual settlers on the public domain.

And has originated and passed the following bills:

S. B. No. 32. To amend section 15, chapter 6, of an act to establish a Revenue Code for the State of Alabama.

S. B. No. 176. To authorize the commissioners' court of Tuscaloosa county to levy and collect a tax to pay debts existing on the 6th day of December, 1875.

S. B. No. 96. To authorize and require the Secretary of State to furnish weights and measures to the county of Etowah.

S. B. No. 215. To amend section 2 and 16 of an act to incorporate the town of Livingston in Sumter county, approved January 25th, 1867, and to amend section one of an act to define the corporate limits of the town of Livingston in Sumter county, Alabama, approved Feb'y 24th, 1872.

J. M. CARMICHAEL,
Secretary

UNFINISHED BUSINESS.

The House then proceeded to the consideration of the bill---

H. R. No. 177. To regulate the collection of costs in criminal cases, in which defendants are sentenced to the penitentiary.

The question pending being the motion of Mr. Rice to lay the bill on the table.

By leave, Mr. Rice withdrew his motion.

Mr. Hubbard moved to reconsider the vote by which the bill was ordered to a third reading, and that the further consideration of the motion and the bill be postponed until the 11th of January, 1877, and be made the special order for 12 o'clock.

The motion prevailed.

By leave, Mr. Forwood introduced a bill (accompanied with evidence of publication of notice, &c)—

H. R. No. 307. To authorize Walter T. Stringer, of Clarke county, a blind man, to dispense wares, merchandise, &c., by peddling or otherwise, without license, in the county of Clarke;

Which was read once and ordered to a second reading on to-morrow.

REPORTS FROM STANDING COMMITTEES.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill---

H. R. No. 248. To repeal an act to render more explicit and to provide for the better enforcement of the provision of law in reference to the sale or giving away of spirituous, vinous or malt liquors in this State, approved March 18, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 60, nays 16.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Glennon, Gray, Griffin, Grove, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Kirkland, Mayberry, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Saunders, Shields, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Wall, White---60.

Nays---Messrs. Brown, Crews, Crump, Denman, Gilmer, Gullett, Harrington, Jones, Kelly, Kennedy, Ramsey, Rodgers, Snoddy, Stevens, of Coffee, Weatherford, and Welch---16.

Mr. McKleroy gave notice that he would move to reconsider the vote by which the bill passed.

Mr. Betts, from same committee, reported favorably to the bill---

H. R. No. 290. To amend section 3 and 5 of chapter 7 of the Revenue Code;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 61, nays 2.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist,

Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Holioway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Rodgers, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, and Welch—61,

Nays---Messrs. Cockrell and Johnston---2.

Also, from same committee, reported favorably to the bill---

H. R. No. 291. To amend section 18 of chapter 8 of the Revenue Code.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 67, nay 1.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rodgers, Saunders, Shields, Smith, Speake, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch and White---67.

Nay.--Mr. Johnston.

Also, from same committee, reported a substitute for the bill---

H. R. No. 60. To amend sub-division 14, section 7 of chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed---Yeas 62, nays 2.

Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Gray, Griffin, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Mott, McAdory, McDonald, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rodgers,

Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, White---62.

Nays---Messrs. Blevins and Johnston---2.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
December 15, 1876.

Mr. Speaker :

The Senate has passed the following House bill:

H. R. No. 254. For the temporary regulation of the public school system.

J. M. CARMICHAEL,
Secretary.

SIGNING OF SENATE BILLS.

The Speaker in the presence of the House and immediately after the titles had been publicly read, signed the following Senate bills:

s. No. 31. To secure more effectually "competent and well qualified jurors in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry and Bullock.

s. No. 47. To amend section 122 of an act entitled an act to establish revenue laws for the State of Alabama, approved December 31st, 1868.

s. No. 169. Joint resolution to authorize the Auditor to draw his warrant on the Treasurer to pay the expenses of joint committee to visit the penitentiary.

s. No. 187. To authorize the city council of the city of Montgomery to adjust all claims of indebtedness against said city.

ENROLLED BILLS.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after their titles had been publicly read, signed said bills:

H. R. No. 110. To amend the charter of the Citizens Mutual Insurance Company of Mobile.

H. R. No. 161. To repeal an act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within six miles of Laural Church, in the county of Marengo, so far as it relates to Dixon's Mill election precinct.

H. R. No. 284. Joint resolution and memorial to the Congress of the United States, asking for the passage of an act approving the act of the General Assembly of Alabama, authorizing the construction of a breakwater in bay and harbor of Mobile.

H. R. No. 254. For the temporary regulation of the public school system.

H. R. No. 136. To amend an act to prevent the use of insulting or vulgar language in the presence of families and females, approved March 15th, 1875.

H. R. No. 258. To provide for the payment of expenses of joint committee to visit Insane Asylum and University of Alabama.

By leave Mr. Jolly, from the Committee on Corporations, reported favorably to the Senate bill—

s. No. 99. To ratify and confirm the Alabama Coal and Slackwater Company.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 66, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cockrell, Cunningham, of Lauderdale, Crews, Darden, Dean, Dennon, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullet, Gray, Griffin, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKleroy, McMath, Ramsey, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Wetherford Welch and White—66.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
December 15, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the House :

H. R. No. 110. To amend the charter of the Citizens Mutual Insurance Company of Mobile.

H. R. No. 258. To provide for the payment of expenses

of joint committee to visit the asylum and State University.

H. R. No. 254. For the temporary regulation of the public school system.

H. R. No. 282. Joint resolution instructing the Auditor to issue circular to tax assessors.

IKE H. VINCENT,
Private Secretary.

By leave Mr. Holloway, from the Committee on Counties and County Boundaries, reported favorably to the Senate bill.

s. No. 116. To attach the west half of township 20 of range 6, east, Perry county, to the county of Hale.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 66, nays none.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cockrell, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Gray, Griffin, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKleroy, McMath, Ramsey, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch and White—66.

The Speaker, in the presence of the House, and immediately after the title had been publicly read, signed the Senate bill—

s. No. 99. To ratify and confirm the Alabama Coal and Slackwater Company.

The hour of 12 o'clock having arrived, the Speaker, after returning his thanks to the members of the House for the kindness and courtesy extended to him, declared that under the joint resolution of the two Houses, the House stood adjourned until 12 M. Wednesday, the 9th day of January, 1877.

TWENTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, January 9, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Groves of the House.

On the call of the roll there were present:

Messrs. Speaker, Baker, Baldwin, Beers, Booker, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Rice, Robinson, Rodgers, Ross, Shields Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch--75.

Journal of Friday, December 15th, 1876, was read, and on motion of McKleroy, was corrected as follows:

Where it reads on page 374—

"Mr. McKleroy gave notice that he would move to reconsider the vote by which the bill passed."

It should read—

"Mr. McKleroy moved to reconsider the vote by which the bill passed—the further consideration of which motion was postponed until the 9th day of January 1877."

And as thus corrected the journal was approved.

Leave of absence was granted Messrs. Mayberry, Cashin and Snoddy for one day.

The House then proceeded to the consideration of the motion of Mr. McKleroy, to reconsider the vote by which the bill—

H. R. No. 248. To repeal an act, to render more explicit and to provide for the better enforcement of the provision of law, in reference to the sale or giving away of spirituous, vinous, or malt liquors, in this State, approved March 18, 1875.

Passed.

The motion was lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 9th, 1877.

Mr. Speaker :

The Senate has concurred in House joint resolution,
H. R. 298. Authorizing the joint committee on the new
Code to sit during recess.

J. M. CARMICHAEL,
Secretary.

BILLS ON SECOND READING.

The bill—

H. R. 307. To authorize Walter T. Stringer, of Clarke
county, a blind man, to dispense wares, merchandise, &c.,
by peddling or otherwise without license in the county of
Clarke.

Was read the second time.

Mr. Crews moved to amend by adding the name of D.
H. Zorn, of Barbour county.

The bill, with the amendment, was referred to the Com-
mittee on Ways and Means.

SENATE MESSAGES.

The Senate bill—

s. No. 32. To amend section 15, chapter 6, of an act to
establish a Revenue Code, for the State of Alabama, ap-
proved March 6, 1876.

s. No. 96. To authorize and require the Secretary of
State to furnish weights and measures to the County of
Etowah.

s. No. 176. To authorize the commissioners court of
Tuscaloosa county to levy, and collect, a tax to pay
debts, existing on the 6th day of December 1875.

s. No. 215. To amend section 2, and section 16, of an
act to incorporate the town of Livingston, in Sumter
county, approved January 25th 1867, and to amend sec-
tion 1 of an act to define the corporate limits of the town
of Livingston, in Sumter county, Alabama, approved Feb-
ruary 24th, 1872.

Were severally read once and ordered to a second read-
ing on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced,
By Mr. McKleroy—

H. R. No. 308. For the appointment of two judges of the supreme court, *pro tempore*, in certain cases,

Also—

H. R. No. 309. To prescribe the damages on affirmance of judgments and decrees in the superior court.

Also—

H. R. No. 310. To amend section 2992 of the Revised Code.

Also—

H. R. No. 311. To amend section 3428 of the Revised Code.

Also—

H. R. No. 312. To authorize and empower the court of county commissioners, of Barbour county, to compromise and settle the bonded indebtedness of said county, incurred for stock subscribed by said county to the Vicksburg and Brunswick Railroad Company.

Ry Mr. Stevens, of Coffee—

H. R. No. 313. To repeal subdivision 5, of Section 2064, of the Revised Code.

Also—

H. R. No. 314. To repeal an act, entitled an act, to repeal section 4031 of the Revised Code, so far as it relates to Coffee and Geneva counties, so far as it relates to the county of Coffee, and to revive and re-enact said section 4031, of the Revised Code.

Also—

H. R. No. 315. Proposing amendments to article ten (10) of the State Constitution.

By Mr. Harrington—

H. R. No. 316. To provide for children in distributions of intestate separate estates of the mother where advancements have been made to some of the children, during the life of the father and coverture of the mother.

Also—(with evidence of publication of notice, &c.)

H. R. No. 317—For the relief of James G. Alexander, sheriff, and James W. Ligon, his deputy, of Colbert county.

Also—

H. R. No. 318 To further provide for the advertisement of all probate business.

By Mr. Titcomb (with evidence of publication of notice, &c.)—

H. R. No. 319. To prohibit the sale or gift of intoxicating beverages in the town of Brewton, in the county of Escambia and within three miles of Brewton Academy, from and after December 31, 1877.

By Mr. McWhorter (with petition and evidence of publication of notice, &c.)---

H. R. No. 320. For the relief of Mrs. E. A. Webb, of Macon county.

By Mr. Fletcher---

H. R. No. 321. To authorize the Court of Commissioners of Madison county to purchase real estate at mortgage sale.

By Mr. Muldon---

H. R. No. 322. To regulate the notice to be given to drawers and endorsers of bills of exchange and makers and endorsers of promissory notes.

By Mr. Herndon---

H. R. No. 323. To amend an act to regulate the publication of legal notices in the State.

By Mr. Glenn---

H. R. No. 324. To repeal an act to compel the Courts of County Commissioners of this State to carry into effect the provisions of chapter 3, part 4, title 2, of the Revised Code, providing for hard labor for the county, so far as the same relates to the county of Mobile.

By Mr. Glenn---

H. R. No. 325. To change the time of meeting of the biennial sessions of the General Assembly.

By Mr. Herndon---

H. R. No. 326. To provide for the execution by the several chancery courts of certain decrees rendered in cases of equity originating in the circuit courts of the State.

Which bills were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

On motion of Mr. McMath the special order for 1 o'clock to-day, viz.: the Senate bill---

s. No. 5. To repeal chapter 7, of title 3, of part 4 and section 3931 of the Revised Code, so far as the same relate to the counties of Dallas and Lee.

Was postponed until 11 o'clock to-morrow and made the special order for that hour.

On motion of Mr. Jolly the House adjourned until to-morrow morning, 10 o'clock.

TWENTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, January 10, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Grove of the House.

Mr. James M. Jack, member elect from the county of Hale, came forward, enrolled his name, and having been duly qualified, took his seat as a member of the House.

On the call of the roll there were present:

Messrs. Speaker, Baker, Baldwin, Baxter, Beard, Beers, Betts, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, KcMath, McWhorter, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch---88.

The Speaker laid before the House Memorial of the National Board of Trade of the United States;

Which was read and referred to the Committee on Education.

BILLS ON SECOND READING.

The bills—

H. R. No. 308. For the appointment of two Judges of the Supreme Court, *pro tempore*;

H. R. No. 309. To prescribe the damages on affirmance of judgments and decrees in the Supreme Court;

H. R. No. 310. To amend section 2992 of the Revised Code;

H. R. No. 311. To amend section 3428 of the Revised Code;

H. R. No. 313. To repeal sub-division 5 of section 3064 of the Revised Code;

H. R. No. 314. To repeal an act entitled an act to repeal section 4031 of the Revised Code, so far as it relates to Coffee and Geneva counties: so far as said act relates to the county of Coffee, and to revive and re-enact said section 4031 of the Revised Code;

H. R. No. 315. Proposing amendments to article ten of the State Constitution;

H. R. No. 316. To provide for children in distribution of intestate separate estates of the mother where advancements have been made to some of the children during the life of the father and coverture of the mother;

H. R. No. 318. To further provide for the advertisement of the probate business;

H. R. No. 322. To regulate the notice to be given to drawers and endorsers of bills of exchange and promissory notes;

H. R. No. 223. To amend an act to regulate the publication of legal notices in this State;

H. R. No. 326. To provide for the execution by the several chancery courts of certain decrees rendered in cases, of equity, originating in the circuit courts of the State;

Were severally read the second time and referred to the Judiciary Committee.

The bills—

H. R. No. 317. For the relief of James G. Alexander, sheriff, and James W. Ligon, his deputy, of Colbert county;

H. R. No. 319. To prohibit the sale or gift of intoxicating beverages in the town of Brewton, in the county of Escambia, and within three miles of Brewton Academy, from and after the 31st of December, 1877;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 312. To authorize and empower the court of county commissioners of Barbour county to compromise and settle the bonded indebtedness of said county, incurred for stock subscribed by said county to the Vicksburg and Brunswick Railroad Company;

Was read the second time and referred to a Special Committee of three.

Committee—Messrs. McKleroy, ———, ———.

The bill—

H. R. No. 320. For the relief of Mrs. E. A. Webb, of Macon county;

And the Senate bills—

s. No. 32. To amend section 15 of chapter 6 of an act to establish a revenue code for the State of Alabama, approved March 6th, 1876;

s. No. 176. To authorize the commissioners court of Tuskaloosa county to levy and collect a tax to pay debts existing on the 6th day of December, 1875;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 321. To authorize the court of county commissioners of Madison county to purchase real estate at mortgage sale;

Was read the second time and referred to a Special Committee, consisting of the Madison delegation.

The bill—

H. R. No. 324. To repeal an act to compel the courts of county commissioners of this State to carry into effect, the provisions of chapter 3, part 4, title 2 of the Revised Code, providing for hard labor for the county, so far as the same relates to the county of Mobile;

Was read the second time and referred to a Special Committee, consisting of the Mobile delegation.

The bill—

H. R. No. 325. To change the time of meeting of the biennial sessions of the General Assembly;

Was read the second time, and on motion of Mr. Glenn, was referred to a Special Committee of one from each Congressional District, with the chairman of the Judiciary Committee, Mr. Herndon, as chairman;

Committee:

1st. district,	Mr. Herndon,
2d. " "	Gilchrist,
3d. " "	Glenn,
4th. " "	Hobson,
5th. " "	Hansburger,
6th. " "	Gere,
7th. " "	Crumps,
8th. " "	Smith.

The Senate bill—

s. No. 96. To authorize and require the Secretary of State to furnish weights and measures to the county of Etowah;

Was read the second time.

Amendments were offered, as follows:

By Mr. Manasco, of Walker county—

To extend the provisions of the act to Walker county;

By Mr. Manasco, of Winston county—

To extend the provisions of the act to Winston county;

By Mr. Stevens, of Coffee—

To extend the provisions of the act to Coffee county;

The bill, with the amendments, was referred to the Committee on Local Legislation.

The Senate bill—

s. No. 215. To amend section 2 and section 16 of an act to incorporate the town of Livingston, in Sumter county, approved January 25th, 1867, and to amend section one of an act to define the corporate limits of the town of Livingston, in Sumter county, Alabama, approved February 24, 1872;

Was read the second time and referred to the Committee on Corporations.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Gilchrist, (with petition and evidence of publication of notice, &c.)—

H. R. No. 327. To repeal so much of an act to prohibit the sale or giving away of liquors within three miles of Oak Bowery and Bethel Methodist Episcopal church, in Butler county Alabama, as relates to Oak Bowery Church.

By Mr. Forwood—

H. R. No. 328. To amend an act to regulate the payment of all the claims against the fine and forfeiture fund of Clarke county, and to make the same receivable for fines due the county and for the hire of convicts, approved March 19th, 1875.

By Mr. McFarlane, (with evidence of publication of notice, &c.)—

H. R. No. 329. To amend section 13 of an act, approved January 20, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson.

By Mr. Speake—

H. R. No. 330. To amend section 2339 of the Revised Code.

By Mr. Kennedy—

H. R. No. 331. To amend section 1 of an act for the relief of maimed soldiers, approved March 8th, 1876.

By Mr. DeLemos, (with petition and evidence of publication of notice, &c.)—

H. R. No. 332. To repeal an act to prohibit the sale or giving away of spirituous liquors within three (3) miles of the Baptist and Presbyterian churches at Pleasant Hill, Dallas county, approved February 19th, 1876.

By Mr. Fletcher—

H. R. No. 333. To change the time of holding the Spring term of the circuit court of Madison county.

By Mr. Muldon—

H. R. No. 334. To amend section 17 of the charter of Mobile, approved 2d February, 1866.

Also—

H. R. No. 335. To amend section 2329 of the Revised Code.

By Mr. Glennon—

H. R. No. 336. To amend section 3697 of the Revised Code.

By Mr. Cunningham, of Monroe—

H. R. No. 338. To amend section 3618 of the Revised Code.

By Mr. Goldthwaite—

H. R. No. 339. For the better security of personal property.

By Mr. Glenn—

H. R. No. 340. To amend section 3681 of the Revised Code.

By Mr. McMath—

H. R. No. 341. To amend section 3144 of the Revised Code.

By Mr. Brown—

H. R. No. 342. To authorize the purchasers of any railroad hereafter sold in the State of Alabama, under authority of any law, or under any proceeding, judicial or otherwise, authorized by law, to constitute themselves into a body politic and corporate.

By Mr. Forwood—

H. R. No. 343. To augment the material resources of the State to increase the revenue and to encourage wool-growing.

By Mr. Caldwell, (with evidence of publication of notice, &c.)—

H. R. No. 344. To repeal an act to authorize and require the mayor and council of the town of Union Springs to levy and collect a tax to pay the bonds issued by the corporate authorities of said town, approved December 16th, 1871.

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Glennon introduced—

H. R. No. 337. Joint resolution raising a joint committee to inquire into the propriety of legislation upon the subject of the redemption of lands sold for taxes and purchased by the State;

Which was adopted.

Committee on part of the House—Messrs. Glennon, Betts, Harrington, Darden and Taylor.

Mr. Kelly offered the following resolution, which was adopted:

Resolved, That the Committee on Public Roads and Highways be instructed to look into and report by bill or otherwise, who are exempt from working on public roads in this State.

Mr. Brown offered the following resolution, which was adopted:

Resolved, That a special committee of five members be appointed to take into consideration the propriety of fixing by resolution the time of meeting and adjourning of this House, and report as early as practicable.

Committee, Messrs. Brown, McMath, Fletcher, Holloway and Dillon.

Mr. Titcomb offered the following resolution:

WHEREAS, there is, as appears from public documents, an extraordinary disproportion between the amount of poll tax annually collected in this State, and the amount of said tax which, allowing, say, one-third of the voting population to be non-poll-tax payers, as over age, should be collected, making a deficit of about \$118,000 in the State's revenue from this source, and whereas, by full payment of said tax, not only would the general welfare be promoted, but also the free public schools for both races be most materially aided;

Therefore, be it resolved, That the Judiciary Committee be instructed to report, at an early day, upon the expediency of a law, the provisions of which shall require each

voter, liable to pay poll tax, to exhibit his poll tax receipt before voting at any State or county election.

Mr. Lewis moved to lay the resolution on the table.

Lost.

And the resolution was lost.

Yeas 42, nays 44.

Yeas.—Messrs. Speaker, Baker, Beers, Booker, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Dillon, Fletcher, Forwood, George, Gere, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Grove, Hansburger, Holloway, Hubbard, Jack, Kelly, Kennedy, Mott, McAdory, McDavid, McKinstry, McKleroy, McWhorter, Robinson, Ross, Saunders, Shields, Taylor, Titcomb, Ussery, Wall and Welch—42.

Nays—Messrs. Baldwin, Baxter, Betts, Butler, Blevins, Caldwell, Cockrell, Crump, Denman, Denson, DeLemos, Doster, Espy, Foshee, Gibson, Gilmer, Gullett, Griffin, Harris, Harrington, Herndon, Hobson, Hudson, Jackson, Jolly, Jones, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Muldon, McDonald, McDuffie, McFarlane, McMath, Rice, Rodgers, Smith, Snoddy, Speake, Stephens, of Dallas, Stephens, of Perry, Townsend and Weatherford—44.

SPECIAL ORDER.

The House then proceeded to the consideration of the special order for 11 o'clock, viz:

The Senate bill—

s. No. 5. To repeal chapter seven of title three of part four, and section 3931 of the Revised Code, so far as the same relates to the counties of Dallas and Lee.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 70, nays 10.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMleroy, Mc-

Math, Rodgers, Ross, Saunders, Shields, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall Weatherford, Welch and White—70.

Nays—Messrs. Baldwin, Blevins, Cockrell, Gilmer, Lewis, Manasco, of Winston, Rice, Snoddy, Stevens, of Dallas and Stephens of Perry—10.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Dec. 10, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives, also the following joint resolution :

No. 161. To repeal an act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within six miles of Laurel Church, in the county of Marengo, so far as it relates to Dixon's Mill election precinct.

No. 139. To amend an act to prevent the use of insulting or vulgar language in the presence of families and females, approved March 15th, 1875.

No. 284. Joint resolution and memorial to the Congress of the United States, asking for the passage of an act approving the act of the General Assembly of Alabama authorizing the construction of a Break Water in Bay and Harbor of Mobile.

Respectfully,
IKE H. VINCENT,
Secretary.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from Judiciary Committee, reported back to the House the bill—

H. R. No. 92. To repeal an act to authorize and regulate the partition of crops among tenants in common, or joint owners therein, &c.

And asked that it be referred to the Committee on Commerce and Agriculture.

It was so referred.

Mr. Herndon, from a majority of the Judiciary Committee reported adversely to the bill—

H. R. No. 88. To amend section 4397, (3800), of the Revised Code.

Mr. Jolly submitted the following minority report :

HOUSE OF REPRESENTATIVES,
January 16th, 1877.

Mr. Speaker :

The undersigned members of the Committee on Judiciary, to whom was referred House bill No. 88, to amend section 4397 (3800) of the Revised Code of Alabama, respectfully dissent from the views and report of the majority of the Committee, and recommend that the bill pass.

JOHN. J. JOLLY,
J. S. HANSBERGER,
S. J. HARRINGTON.

The House refused to concur in the adverse report.

The bill was then ordered to a third reading forthwith.

On motion of Mr. Jolly, the vote ordering the bill to a third reading forthwith was reconsidered.

Mr. Jolly moved to amend by striking out that part of Section 1, beginning with the word "sufficient," and ending with the word "charge," in 10th and 11th lines, and inserting in lieu thereof the following: "It appears that there is probable cause to believe that the accused is guilty of the charge."

The amendment was adopted.

Mr. Blevins moved to lay the bill on the table.

Lost.

Mr. Denson moved to amend by inserting before the word "one thousand," in Section 1, the words "not exceeding."

The amendment was adopted.

The bill was then ordered to a third reading forthwith, read the third time and passed, yeas 48, nays 38.

Yeas—Messrs. Baker, Baxter, Beard, Betts, Booker, Butler, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Dillon, Fletcher, Forwood, Foshee, George, Gibson, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Jack, Jackson, Jolly, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, Rodgers, Saunders, Shields, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford—48.

Nays—Messrs. Speaker, Allen, Baldwin, Beers, Blevins,

Caldwell, Darden, Denman, Denson, DeLemos, Doster, Espy, Gere, Gilchrist, Gilmer, Goldthwaite, Gullett, Glennon, Harris, Herndon, Holloway, Hudson, Kelly, Kennedy, Muldon, McKleroy, McMath, McWhorter, Rice, Robinson, Ross, Smith, Snoddy, Stevens, of Coffee, Stephens, of Perry, Townsend, Welsh, White---38.

ENROLLED BILLS—SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after their titles had been publicly read, signed said bills:

H. R. No. 65. To amend an act entitled "An act to regulate the term of service of jurors," approved March 15, 1875.

H. R. No. 87. To repeal an act entitled "An act requiring justices of the peace of Geneva and Randolph counties to act as apportioners and supervisors of public roads in their respective beats, so far as the same applies to Geneva county; and to re-enact Sections 1323, (1142), 1324, (1143), 1325, (1144), 1326, (1144 A), 1327, (1145) of the Revised Code of Alabama, so far as the same relates to the county of Geneva.

H. R. No. 115. To change the boundary line between the counties of Talladega and Clay in this State.

H. R. No. 151. To regulate the number of persons drawn to serve as petit jurors for the county of Marion.

H. R. No. 155. Joint memorial of the General Assembly of Alabama to the Congress of the United States, relative to the patenting of lands entered under the homestead law of 1862, entitled an act to secure homesteads to actual settlers on the public domain.

H. R. 263. To amend an act entitled an act to give incorporated towns the power to limit the running of railroad trains and engines to a rate of speed not exceeding six miles per hour while running through their corporate limits, approved March 2d, 1875.

H. R. 217. To amend an act entitled an act to authorize the Mayor of the city of Mobile to take cognizance of and try cases of misdemeanor and discharge the duties of justice of the peace, approved November 28, 1866.

H. R. No. 298. Joint resolution authorizing the Joint Committee on the New Code to set during recess.

Mr. Griffin moved to take a recess until 4 o'clock this evening.

Mr. Harris moved to adjourn until to-morrow morning, 10 o'clock.

The longest time being first put, carried, and the House adjourned until to-morrow morning, 10 o'clock.

THIRTIETH DAY.

HOUSE OF REPRESENTATIVES,

Thursday, January 11, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Crump, of the House.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—90.

Journal of yesterday read and approved.

Mr. Fletcher, from special committee, reported favorably to the bill—

H. R. No. 321. To authorize the court of county commissioners of Madison county to purchase real estate at mortgage sale.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 80, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown,

Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Robinson, Rodgers, Ross, Saunders, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—80.

Mr. Taylor moved to reconsider the vote by which the bill---

H. R. No. 88. To amend section 4397 of the Revised Code,

Passed on yesterday.

The motion was lost.

Mr. Brown, from special committee to fix the time of meeting and adjourning daily, reported the following resolution:

Resolved, That from and including the 12th day of January, 1877, till the final adjournment of this General Assembly, this House shall convene at 9½ o'clock, A. M., each day except Sundays, and not adjourn before the hour of 3 P. M., unless the regular order of business shall have been completed before that hour.

Mr. Lewis moved to amend by striking out "3 P. M." and inserting "2½ P. M.;"

Which, on motion of Mr. Fletcher, was laid on the table.

The resolution was adopted.

BILLS ON SECOND READING.

The bills—

H. R. No. 327. To repeal so much of an act entitled an act to prohibit the sale or giving away of liquors within three miles of Oak Bowery and Bethel Methodist Episcopal churches, in Butler county, as relates to Oak Bowery church;

H. R. No. 332. To repeal an act to prohibit the sale or giving away of spirituous liquors within three miles of the Baptist and Presbyterian churches at Pleasant Hill, Dallas county, approved February 19, 1876;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 328. To amend an act to regulate the payment of all the claims against the fine and forfeiture fund of Clarke county, and to make the same receivable for fines due the county, and for hire of convicts, approved March 19, 1875;

Was read the second time and referred to the Committee on Fees and Salaries.

The bills---

H. R. No. 342. To authorize the purchasers of any railroad hereafter sold in this State under authority of any law, or under any proceedings, judicial or otherwise, authorized by law, to constitute themselves into a body politic and corporate;

H. R. No. 329. To amend section 13 of an act, approved January 20, 1870, to incorporate the town of Scottsboro, in county of Jackson;

H. R. No. 334. To amend section 17 of the charter of the city of Mobile, approved 2d February, 1866;

H. R. No. 344. To repeal an act to authorize and require the mayor and council of the town of Union Springs to levy and collect a tax to pay the bonds issued by the corporate authorities of said town, approved December 15, 1871;

Were severally read the second time and referred to the Committee on Corporations.

The bills—

H. R. No. 330. To amend section 2339 of the Revised Code;

H. R. No. 333. To change the time of holding the Spring term of the circuit court of Madison county;

H. R. No. 335. To amend section 2329 of the Revised Code;

H. R. No. 336. To amend section 3697 of the Revised Code;

H. R. No. 338. To amend section 3618 of the Revised Code;

H. R. No. 339. For the better security of personal property;

H. R. No. 340. To amend section 3681 of the Revised Code;

H. R. No. 341. To amend section 2144 of the Revised Code;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 331. To amend section 1 of an act for the relief of maimed soldiers, approved March 8, 1876;

Was read the second time and referred to the Committee on Appropriations.

The bill—

H. R. No. 343. To augment the material resources of the State, to increase the revenue, and to encourage wool-growing;

Was read the second time and referred to the Committee on Agriculture and Commerce.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 11, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills:

s. No. 119. To amend an act to prevent camp hunting in the counties of Blount, Marion, and Winston, approved February 23, 1875.

s. No. 201. To authorize W. N. Sears, of the county of Macon, to peddle without license.

s. No. 164. To fix the time of holding the circuit court of the county of Henry.

s. No. 185. To regulate the terms of the courts of the third judicial circuit.

s. No. 166. To punish obstructions of railroads.

s. No. 152. To repeal an act to prevent camp hunting, firing the woods, or driving for deer in beats numbers five and sixteen in Marshall county, approved March 6, 1875.

s. No. 108. To make I. N. Chandler, liner between Marshall and Etowah counties, Geo. W. Garmany, liner between Cherokee and Etowah counties, citizens of Etowah county.

s. No. 149. To amend section 3601 of the Revised Code.

s. No. 174. To detach the county of Chilton from the second judicial circuit and attach the same to the 10th judicial circuit.

s. No. 183. To amend section 71 of an act to regulate elections in this State, approved March 3d, 1875.

J. M. CARMICHAEL,

Secretary.

SENATE BILLS ON FIRST READING.

The Senate bills just received, viz.: s. 119, s. 201, s. 164, s. 185, s. 166, s. 152, s. 108, s. 149, s. 174, and s. 183,

Were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. McDavid (with evidence of publication of notice, &c.)—

H. R. No. 345. For the relief of Young C. Hall, administrator of the estate of Joseph Hall, deceased, in the county of Baldwin;

By Mr. Hansburger—

H. R. No. 346. Regulating the fine and forfeiture fund of Bibb county;

By Mr. Crump—

H. R. No. 347. To amend section 84¹ of the Revised Code;

Also,

H. R. No. 348. To require the courts of county commissioners and county treasurers to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective counties;

By Mr. Doster (with evidence of publication of notice, &c.)—

H. R. 349. For the relief of Mark A. Cooke, of Dale county;

By Mr. Allen—

H. R. No. 350. To provide a change of venue in certain cases;

By Mr. Stevens, of Coffee, (with petition and counter-petition)—

H. R. 351. To repeal an act to declare Pea River between Russell's and Winslow's bridges, in Coffee county, a lawful fence;

By Mr. Harrington—

H. R. No. 352. To regulate the trial of misdemeanors in Colbert county;

By Mr. Déan (with petition and evidence of publication of notice)---

H. R. No. 353. To change and define the western boundary line of Etowah county;

By Mr. Espy—

H. R. No. 354. To amend chapter 6, section 15 of the Revenue Code;

Also,

H. R. No. 355. To amend chapter 7, section 8 of the Revenue Code;

By Mr. Fletcher, (with evidence of publication of notice, &c.)---

H. R. No. 356. For the relief of Robert E. Murphy, sheriff of Madison county;

By Mr. Hubbard, (with evidence of publication of notice, &c.)---

H. R. 357. To incorporate the volunteer military company of Hayneville, Lowndes county, under the name of "The Hayneville Guards;"

By Mr. Betts---

H. R. No. 358. To make appropriations for the fiscal year ending September 30, 1877;

By Mr. Glennon—

H. R. No. 359. To further secure the rights of aliens to inherit, own, and transmit real and personal property within this State;

Also,

H. R. No. 360. To amend section 3658 of the Revised Code;

Also,

H. R. No. 361. To amend section 3661 of the Revised Code;

Also,

H. R. No. 362. To amend section 3654 of the Revised Code;

By Mr. Rice, (with petition and evidence of publication of notice, &c.)—

H. R. No. 363. To change the boundary line between the counties of Bullock and Montgomery;

By Mr. Goldthwaite—

H. R. No. 364. To change the boundary line of Pike county;

Also,

H. R. No. 365. In relation to the duties and pay of *guardians ad litem*;

By Mr. Hubbard—

H. R. No. 366. To require the county treasurer to pay all warrants, according to the number and date of registration made by him;

Also,

H. R. No. 367, To require *ex officio* services, for which pay is claimed, to be itemized and sworn to;

Also,

H. R. No. 368. To require the persons interested to furnish the revenue stamp required to be attached with the seal placed on documents and instruments;

Also,

H. R. No. 369. To require probate judges to collect and pay over the printer's fee for advertising land for tax sale;

Also,

H. R. No. 370. To allow the surplus of the bridge fund of 1876, of Pike county, to be appropriated to pay claims for repairs of the court house;

Also,

H. R. No. 371. To provide for the election of officers in the town of Orion;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Griffin introduced---

H. R. No. 372. Joint memorial to the United States Congress, praying the repeal of the tax on spirits distilled from fruits;

Which was read and adopted.

EXECUTIVE MESSAGE.

The Governor's message, transmitting the report of the Commissioners, made under joint resolution, approved March 8, 1876:

Was taken up.

Whereupon Mr. Betts offered the following joint resolution, which was adopted.

H. R. No. 373. *Resolved by the House, the Senate concurring*, That a joint committee of three on the part of the House, and two on the part of the Senate, be appointed, to which the message of the Governor and the accompanying report of the commissioners, made under the joint resolution, approved March 8, 1876, shall be referred, with permission to report by bill or otherwise.

Committee on the part of the House, Messrs. Betts, Hobson, and McKleroy.

REPORTS FROM STANDING COMMITTEES.

Mr. Herndon, from Judiciary Committee, reported adversely to the bill—

H. R. No. 186. To amend section one of an act to protect persons having an interest in personal property as tenants in common or part owners thereof;

Which was concurred in.

Also from same committee reported favorably to the bill---

H. R. No. 128. To allow defendants, in certain cases, to open and conclude the argument.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 88, nays 0.

Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, KcMath, McWhorter, Ramsey, Rice, Rodgers, Ross, Saunders, Smith, Snoddy, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford Welch and White---88.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the House proceeded to the consideration of the Special Order for this hour, viz: the motion to reconsider the vote ordering to a third reading the bill—

H. R. No. 177. To regulate the collection of costs in criminal cases, in which defendants are sentenced to the Penitentiary.

The motion was agreed to, and on motion of Mr. Hubbard the bill was recommitted.

REPORTS RESUMED.

Mr. Herndon, from the Judiciary Committee, reported favorably with amendments to the Senate bill.

s. No. 81. To arrange and number the districts and to fix the terms of the courts of the southern chancery division.

Amend section 2 by striking out of the fifth and sixth lines the words "Thursday alter," so as to make the time of holding the court at Evergreen the second Monday in April and October.

Amend same section in 12th line by striking out the word "second" and insert "fourth," so as to make the time of holding court at Rutledge the 4th Monday in April and October.

The amendments were adopted, the bill ordered to a third reading forthwith, read third time and passed---yeas 88, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---88.

Also, from same Committee, reported favorably to the bill---

H. R. No. 246. To amend section 2339 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 81, nays 6.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer,

Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Holloway, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Rice, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White---81.

Nays---Messrs. Goldthwaite, Hubbard, Hudson, McAdory, Stevens, of Coffee, Titcomb---6.

Also, from same Committee, reported favorably to the Senate bill---

s. No. 29. To amend section 2562 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 83, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Fosse, George, Gere, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch---83.

Mr. Herndon submitted the following report, which was concurred in :

Mr. Speaker :

The Judiciary Committee, to whom was referred the resolution instructing the Committee to investigate whether or not the railroad companies cannot be made to pay additional tax for the years 1875-6, have had the same under consideration and instruct me to answer the same in the negative. The action of the Board of Equalization, unimpeached for fraud or illegality, is final.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

Montgomery, ALA., January 11, 1877.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives :

151. An act to regulate the number of persons drawn to serve as petit jurors for the county of Marion.

115. An act to change the boundary line between the counties of Talladega and Clay in this State.

65. An act to amend an act entitled an act to regulate the term of service of jurors, approved March 15th, 1875.

87. An act to repeal an act entitled "An act requiring the justices of the peace of Geneva and Randolph counties to act as apportioners and supervisors of public roads in their respective beats," so far as the same applies to Geneva county, and to re-enact sections 1323, (1142) 1324, (1143) 1325, (1144) 1326, (1144 A) 1327, (1145) of the Revised Code of Alabama so far as the same relates to the county of Geneva.

203. An act to amend an act entitled an act to give incorporated towns the power to limit the running of railroad trains and engines to a rate of speed not exceeding six miles per hour while running through their corporate limits, approved March 2nd, 1875.

217. An act to amend an act entitled an act to authorize the Mayor of the city of Mobile to take cognizance of and try cases of misdemeanor and discharge the duties of justice of the peace, approved November 28, 1866.

298. Joint resolution authorizing the Joint Committee on the New Code to sit during recess.

155. Joint memorial of the General Assembly of Alabama to the Congress of the United States relative to the patenting of lands entered under the homestead law of 1862, entitled "An act to secure homesteads to actual settlers on the public domain."

Very respectfully,

IKE H. VINCENT,

Private Secretary.

REPORTS---CONTINUED.

Mr. Herndon, from the Judiciary Committee, reported favorably with amendment to the bill---

H. R. No. 218. To amend section 1 of an act, entitled an act, to provide for the keeping of dockets, in criminal cases, by justices of the peace and notaries public.

Amend by inserting after the word "public," in the 3d line, the words "having the jurisdiction of justices of the peace."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and lost--- yeas 23, nays 63.

Yeas—Messrs. Beers, Booker, Butler, Darden, Dean, Denson, Gilchrist, Glennon, Harris, Herndon, Hobson, Holloway, Jack, Jackson, Jolly, Muldon, McDavid, McDuffie, Rice, Snoddy, Stephens, of Perry, Weatherford and White---23.

Nays---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booth, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gere, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Hubbard, Hudson, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, McAdory, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Ussery, Wall, Welch—63.

Also, from same Committee, reported a substitute for the bill---

H. R. No. 164. To amend section one of an act to protect persons having an interest in personal property, as tenants in common or part owners thereof, approved February 3rd, 1876.

The substitute was adopted and the bill ordered to a third reading forthwith, read the third time and passed.

Yeas 84, nays 1.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kirkland, Lewis, Mayberry, Manasco, of

Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titecomb, Ussery, Wall, Weatherford, Welch and White---84.

Nay—Mr. Harris—1.

Mr. Herndon, from a majority of the Judiciary Committee, reported adversely to the bill—

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

Mr. Jolly submitted the following minority report, and moved to substitute it for the majority report :

Mr. Speaker :

The undersigned, a minority of the Committee on Judiciary, to which was referred House bill No. 182, entitled an act to establish a surrogate court for the county of Wilcox, not being able to agree with a majority of said committee in making an adverse report to said bill, beg leave to submit this, their minority report thereon, and recommend the passage of the bill.

JNO. J. JOLLY,
B. M. STEVENS,
JNO. M. MCKLEROY,
JNO. P. HUBBARD.

Mr. McMath arose and asked if it was in order to discuss the merits of the bill upon the motion to substitute.

The Chair ruled that it was not.

Mr. Rice appealed from the decision of the Chair.

And the question being put: Shall the decision of the Chair stand as the decision of the House?

The Chair was sustained.

The motion to substitute was then agreed to.

On motion of Mr. Beers, the further consideration of the bill was postponed, and made the special order for 12 M. to-morrow.

Mr. Hubbard, from the Judiciary Committee, reported adversely to the Senate bill—

s. No. 41. To amend sections 2662 and 2664 of the Revised Code;

Which was concurred in.

By leave Mr. Betts, from the Committee on Ways and Means, reported back to the House the following bills:

And asked that they be referred to the Committee on Judiciary.

H. R. No. 183. To consolidate the offices of tax collector and sheriff of Lawrence county.

H. R. No. 120. To consolidate the offices of sheriff and tax collector in Colbert county.

They were so referred.

Mr. Glennon, from Special Committee, reported favorably to the bill—

H. R. No. 324. To repeal an act to compel the courts of county commissioners of this State to carry into effect the provisions of chapter 3, part 4, title 2 of the Revised Code, providing for hard labor for the county so far as the same relates to the county of Mobile.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 78, nays 0.

Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Muldon, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McWhorter, Ramsey, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—78.

Mr. McKleroy, from the Committee on Education, reported favorably with amendments to the bill—

H. R. No. 52. To organize and regulate a system of public instruction for the State of Alabama.

Mr. McKleroy, moved to postpone the further consideration of the bill and the report, and that they be made the special order for 10 A. M. Monday next, and for that hour from day to day until disposed of.

The motion was agreed to.

Also from same committee reported favorably to the—

H. R. No. 175. Joint resolution suspending section 6 art. 13 of the Constitution for a limited time.

On motion of Mr. McKleroy, the further consideration of the resolution was postponed and made the special order for Tuesday next, 11 A. M.

By leave, Mr. Gere, from the Committee on Agriculture

and Commerce, reported a substitute for the bill—

H. R. No. 9. For the preservation of game, animals and birds in this State.

The substitute being entitled---

H. R. No. 9. An act for the preservation of game, animals, and birds in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Wilcox, Perry, Escambia, Hale, Dallas, Montgomery, Greene and Pickens.

Mr. Blevins moved to amend by striking out "Dallas county."

Lost.

Mr. Wall moved to amend by including Butler county.

Adopted.

Mr. Baldwin moved to amend by striking out Wilcox county.

Lost.

Mr. Lewis moved to amend by adding: "provided that this act shall apply to the whole State;"

Which, on motion of Mr. Jackson, was laid on the table.

Mr. Robinson moved to amend by including the county of Conecuh.

Adopted.

The title was amended to correspond, and the bill ordered to a third reading forthwith, read the third time and passed.

Yeas 66, nays 13.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Brodnax, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, DeLemos, Dillon, Espy, Forwood, George, Gere, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, and Welch---66.

Nays—Messrs. Baldwin, Betts, Booth, Butler, Blevins, Denman, Fletcher, Gilmer, Johnston, Lewis, Mayberry, Snoddy, and Stephens, of Perry—13.

Mr. Cunningham, of Monroe, submitted the following

report, and on motion of Mr. Gere it was laid on the table, and five hundred copies ordered printed.

REPORT OF THE COMMITTEE ON STATE UNIVERSITY AND INSANE HOSPITAL.

To the President of the Senate and Speaker of the House of Representatives :

The special committee, appointed in pursuance of a joint resolution of the two Houses of the General Assembly, to visit the State University and the Alabama Insane Hospital, and report their condition, &c., has discharged the duty imposed by said resolution, and respectfully asks leave to submit the following report :

On Thursday, November 30th, your committee proceeded to Tuscaloosa, and on Friday, December 1st, visited the University and spent the day in making as thorough an inspection of the corps of cadets, buildings, libraries, &c., as their limited time would permit, and gathered all the information they could, as to the general and practical workings of the University.

The committee had the pleasure of meeting Dr. Carlos G. Smith, the President of the University, and the other members of the able and accomplished faculty, and found them earnestly engaged in educating and training the young men, who will, at no distant day, participate largely in working out the destinies of Alabama.

The University is situated about a mile east of the city of Tuscaloosa, on a tract of about six hundred acres of land belonging to the institution, which was originally selected as the University site, on account of its beauty, healthfulness and pure water. This land, as the committee is informed, was a part of the seventy-two sections of land granted by the 6th section of the act of congress of March 2d, 1819, to the State, for the use of a seminary of learning.

The University was founded in 1831. Handsome buildings were then erected, and in the years 1858 and 1859 other excellent and substantial buildings were added, giving ample room for the accommodation of several hundred students. At the beginning of the late war the University was in a prosperous condition, being amply provided with chemical and philosophical apparatus, an

excellent cabinet of minerals and fossils, many rare astronomical instruments, and a large library of valuable books.

On the 3d of April, 1865, most of the buildings and other valuable property of the institution, worth at least two hundred thousand dollars, was burned by the soldiers under command of Brigadier General Crockston, of the federal army. On the 20th of February, 1866, the General Assembly passed an act providing for the loan, to the University, of seventy thousand dollars (thirty thousand of which is unpaid), with which an able and patriotic board of trustees began the erection of a splendid building, which was intended by them as only a section, or part, of a grand structure, the plan of which they hoped would be carried out in the future. Before this building was fully completed, this board of trustees was displaced by that sad revolution in the administration of the affairs of the State, which took place in 1868. Then, in common with other private and public interests, the University was prostrated, and continued prostrate for several years. Recently, however, it has been rapidly growing in prosperity and public favor, and to-day it stands as one of the brightest jewels of the commonwealth.

In the academic year ending July 5th, 1875, there were one hundred and eleven students in the University—an increase of fifty per cent. over the year previous.

The present academic year opened with one hundred and thirty-five, and new cadets are still coming in. Of these, sixty-five pay no tuition, having been admitted under the law which provides that three pupils from each county in the State shall be educated at the University, free from charge for tuition. The charge for board is \$11 40 per month; tuition in the academic department is \$40 per annum, and a splendid military uniform is furnished at \$20. If there is any institution in the United States that furnishes to students as good advantages as the University does, at so small a cost, your committee has not been able to learn its whereabouts. The cadets are young men of fine bearing, and under excellent discipline, due, no doubt, in a great measure to the efficiency of their instructors, and the constant care of the corps commandant, Col. Thos. C. McCorvy. The rooms of cadets are required to be neatly kept at all times, and special attention is paid to the dress and personal habits of cadets, and to their health.

The faculty reports that the present year has been

marked by excellent order, and commendable diligence in study.

The University, as now organized, has two departments of instruction—the academic and the professional. In the academic are the following schools, to-wit:

1st. The school of mental and moral philosophy, taught by the President, Dr. Carlos G. Smith.

2d. The school of the Latin language and literature, taught by Prof. Wm. S. Wyman.

3d. The school of the Greek language and literature, taught by Prof. W. C. Richardson.

4th. The school of English language and literature, taught by Prof. B. F. Meek.

5th. The school of modern languages, taught by Prof. W. A. Parker.

6th. The school of chemistry, taught by Prof. E. A. Smith.

7th. The school of natural history and geology, taught by Prof. E. A. Smith.

8th. The school of natural philosophy and astronomy, taught by Prof. J. H. Foster.

9th. The school of mathematics, taught by Prof. H. S. Whitfield.

In the department of professional education are two schools—a school of law and a school of civil engineering. The professors in these schools are:

H. M. Sommerville, Esq., Professor of constitutional and statutory law.

Hon. John M. Martin, professor of equity jurisdiction.

Horace Hording, professor of civil engineering.

The officers of the University are:

Col. Thos. C. McCorvy, commandant of cadets.

Capt. W. H. Jemison, quartermaster.

John B. Read, M. D., surgeon.

The mode of instruction, in all the schools, is by lectures and recitations, on the most approved text books, accompanied by daily examinations, oral and written.

The discipline, in the academic department, is military, but is so modified as not to encroach so much on the students' time as to interfere with his academic studies. It is designed to be what it really is, an efficient means to reach certain desirable ends, these being healthful, invigorating, manly exercise, good deportment and studious habits.

The University buildings consist of one very large

edifice, containing the mess hall and chapel, the library room, cabinets and laboratories, recitation rooms, society halls for students, and quartermaster's office, together with fifty-two rooms used for barracks, the President's mansion, five substantial and comfortable professor's houses, the observatory, (where the philosophical and astronomical apparatus is kept) and a house for weights and measures. These are all brick structures. Besides these, there are many out-buildings, in the way of necessary kitchens, stables, servants houses, &c., some of them built of brick and some of wood.

The real estate belonging to, and immediately connected with, the University, is worth, at a moderate estimate, not less than one hundred and twenty-five thousand dollars.

The University library contains only about three thousand volumes, not worth more than \$2,000.

The chemical apparatus is sufficiently complete to illustrate an ordinary course in experimental chemistry, and is estimated to be worth about \$1,500.

There are about four hundred specimens of minerals, valued at about \$200.

The general geological collection contains about one thousand specimens, valued at \$250.

The State geological collection contains about 15,000 specimens. This collection was partly made by Prof. Toumey, (which fortunately escaped the conflagration,) and partly by the present able and industrious State geologist, Prof. E. A. Smith. The value of this collection it is impossible to give—to the State, or student of geology of the State, it is invaluable. The professor of geology estimates its probable commercial value at \$5,000.

The value of the philosophical apparatus is roughly estimated at about \$5,000, and the astronomical at about \$10,000.

The great desideratus of the University, at this time, is more room. The fifty-two rooms, in barracks, are already beginning to be crowded. Not more than fifteen or twenty more cadets can be accommodated in them with any comfort, and unless further accommodations are furnished, it will not be many months, if accession to the corps continues, before admission will have to be denied to many of the young men of the State, who will be knocking for admission at the doors of the University, whose blessings are now beginning to be felt and appreciated throughout the borders of the State.

If the General Assembly will do its full duty in fostering its educational institutions, and providing within the borders of our own State facilities for cheap education, of a high grade, such as are now enjoyed at the University, our commonwealth will soon stand abreast with other great States of the Union in prosperity and power.

INSANE ASYLUM.

On the 2d inst., your committee visited the Insane Hospital, and made as critical an inspection as could be done in one day.

Part of the committee have never visited the Hospital before, and none of them had ever seen much of its workings.

It would doubtless be a gratification to every member of the General Assembly to visit the Alabama Insane Hospital, and see what your committee there saw. The noble charity which our State is daily dispensing to the unfortunate and desperately afflicted class, who enjoy the blessings of this institution, can hardly be conceived of, much less understood and appreciated, by one who has never visited an insane hospital, to say nothing of the trouble and anxiety of which the friends of the insane are relieved, by the provision which is made for these unfortunates in the hospital.

The hospital building is a splendid edifice—by far the largest building in the State. It is between seven and eight hundred feet in length, and three stories high. Besides apartments for the family of the superintendent, the chapel, kitchen, and necessary offices and store rooms, it contains eighteen wards or apartments, entirely separate and distinct from each other, built and kept exclusively for the insane, nine in one wing of the building for males, and nine in the other wing for females.

Each ward is arranged for the accommodation of about twenty patients, having its sitting room, dining room, elevator to convey food from the kitchen, its bath room, wash room, and water closet, and is divided into about twenty very small rooms, only large enough for a small bedstead and other necessary furniture for one person. Each ward has a hall running through its whole length, and is thoroughly ventilated. The whole establishment is furnished with gas pipes and fixtures, and is supplied with the greatest abundance of pure water, from a never-failing spring

within the hospital inclosure, which is pumped by a steam engine into a large reservoir, in the top of the main building, and thence distributed by pipes into every part of the house and outhouses.

The house is heated by an immense furnace, which, in cold weather, is kept going day and night. By flues and registers the heat is conveyed to every part of the building. Notwithstanding the day the committee visited the hospital was as cold as is ever experienced in this climate, the thermometer being below freezing point all day, the rooms were all perfectly comfortable, even to the most delicate patient.

The patients were comfortably clad, and show that they are well fed and provided for. The walls are clean and fresh, the beds, rooms, halls and dining rooms neat and in perfect order.

Everything is arranged for convenience and labor-saving.

The patients are classified in the wards, according to their degrees of insanity, intelligence, habits, &c., so as to make all as happy and comfortable as their afflicted condition will allow.

The most striking feature about the institution is the freedom from restraint among the patients. No patients were confined to their rooms, but all were allowed at least the freedom of the halls and sitting rooms. They seem easily managed by firmness and kindness. It was a matter of interest to see how much pleased many of them were to receive our visit, and the visit of the superintendent who accompanied us. They would flock around Drs. Bryce, Huger and Cochran, the superintendent and physicians, explain their hallucinations, tell them of their troubles, and of their joys, and seemed to regret to see them leave the wards.

There are about three hundred and seventy patients in the hospital, all supported at the expense of the State but about thirty, and the institution is full. Applications are being constantly made for admission, but have to be refused for want of room. None but the very worst class of persons—those who are a terror to their families and neighborhoods—are taken, because it is absolutely impossible to accommodate them without more room. There are many insane people of the State now confined in jails and out-houses, who are too dangerous to be admitted to go at large, because the hospital is crowded. It is for the

General Assembly to determine whether this shall continue to be so. The trustees of the hospital, in their last annual report, to which the attention of the General Assembly is called, recommend a small appropriation for a new building, which, if made, would correct the existing evil.

Everything about the hospital bears the marks of a master hand. Everything is in the right place, and in good taste—the out-buildings, stables, laundry, the machinery, piggeries, henneries, orchards, bee houses, fields, gardens, lawns, green houses, the hall, and other appliances for amusing patients, the fine cattle, hogs, poultry, in short, everything about the institution shows that Dr. Bryce is pre-eminently fitted for the position he has so long filled with so much honor to himself and benefit to the State, having made the asylum a perfect “temple of meekness.”

From what the committee saw, we have no doubt but that every word contained in the superintendent's report is literally true, and we commend it to the careful perusal of the General Assembly as containing an accurate statement of the condition of the hospital, its operations, management and necessities.

In submitting this report, your committee cannot refrain from the expression of pride that Alabama can boast of two such institutions as her University and Insane Hospital.

Respectfully submitted,

A. C. HARGROVE,
R. CUNNINGHAM,
I. M. JACKSON.

December 12th, 1876.

On motion of Mr. Griffin, the House adjourned until to-morrow morning 9½ o'clock.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Friday, January 12, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Hudson of the House.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---90.

Journal of yesterday read and approved.

BILLS ON SECOND READING.

The bills—

H. R. No. 345. For the relief of Young C. Hall, administrator of the estate of Joseph Hall, deceased, in the county of Baldwin;

H. R. No. 346. Regulating the fine and forfeiture fund of Bibb county;

H. R. No. 347. To amend section 841 of the Revised Code;

H. R. No. 350. To provide a change of venue in certain cases;

H. R. No. 352. To regulate the trial of misdemeanors in Colbert county;

H. R. No. 359. To further secure the rights of aliens to inherit, own and transmit real and personal property within this State;

H. R. No. 360. To amend section 3658 of the Revised Code;

H. R. No. 361. To amend section 3661 of the Revised Code;

H. R. No. 362. To amend section 3654 of the Revised Code;

H. R. No. 365. In relation to the duties and pay of *guardians ad litem*;

H. R. No. 366. To require the county treasurer to pay all warrants according to the number and date of registration made by him;

H. R. No. 369. To require probate judges to collect and pay over the printers fees for advertising lands for tax sale;

H. R. No. 370. To allow the surplus of the bridge fund of 1876, of Pike county, to be appropriated to pay claims for repair of the court house;

And the Senate bills —

s. No. 185. To regulate the terms of the courts of the third judicial circuit;

s. No. 174. To detach the county of Chilton from the second judicial circuit and attach the same to the tenth judicial circuit;

s. No. 166. To punish obstructions of railroads;

s. No. 164. To fix the time of holding the circuit court of the county of Henry;

s. No. 149. To amend section 3601 of the Revised Code;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 349. For the relief of Mark A. Cook, of Dale county;

Was read the second time and referred to the Committee on Education.

The bill—

H. R. No. 351. To repeal an act to declare Pea River, between Russell's and Winslow's bridges, in Coffee county, a lawful fence, &c.;

And the Senate bills—

s. No. 152. To repeal an act to prevent camp hunting, firing the woods, and driving for deer, in beats numbered 5 and 16, in Marshall county, approved March 6, 1875;

s. No. 119. To amend an act to prevent camp hunting in the counties of Blount, Marion and Winston, approved February 23d, 1875;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 348. To require the courts of county commissioners and county treasurers to publish semi annual exhibits of the receipts and expenditures of money for and on account of their respective counties;

Was read the second time and referred to the Committee on Public Printing.

The bill—

H. R. No. 371. To provide for the election of officers in the town of Orion;

And the Senate bill---

s. No. 183. To amend section seventy-one of an act to regulate elections in this State, approved March 3d, 1875;

Were severally read the second time and referred to the Committee on Privileges and Elections.

The bills—

H. R. No. 367. To require *ex-officio* services for which pay is claimed to be itemized and sworn to;

H. R. No. 368. To require the persons interested to furnish the revenue stamp required to be attached with the seal placed on documents and instruments;

Were severally read the second time and referred to the Committee on Fees and Salaries.

The bill—

H. R. No. 357. To incorporate the volunteer military company, in Hayneville, Lowndes county, under the name of the Hayneville Guards;

Was read the second time and referred to the Committee on Corporations.

The bills—

H. R. No. 353. To change and define the western boundary line of Etowah county;

H. R. No. 363. To change the boundary line between the counties of Bullock and Montgomery;

H. R. No. 364. To change the boundary line of Pike county;

And the Senate bill—

s. No. 108. To make I. N. Chandler, liner, between Marshall and Etowah counties, George W. Garmany, liner, between Cherokee and Etowah counties, and Edwin Mayo, liner, between St. Clair and Etowah counties, citizens of Etowah county;

Were severally read the second time and referred to the

Committee on Counties and County Boundaries.

The bill—

H. R. No. 358. To make appropriations for the fiscal year ending September 30, 1877 ;

Was read the second time and referred to the Committee on Appropriations.

The bills—

H. R. No. 354. To amend chapter six section fifteen of the revenue code ;

H. R. No. 355. To amend chapter seven, section eight of the revenue code ;

And the Senate bill—

s. No. 201. To authorize W. N. Sears, of the county of Macon, to peddle without license ;

Were severally read the second time and referred to the Committee on Ways and Means.

Mr. McKleroy, from Special Committee, reported favorably to the bill—

H. R. No. 312. To authorize and empower the court of county commissioners of Barbour county to compromise and settle the bonded indebtedness of said county, incurred by stock subscribed by said county to the Vicksburg and Brunswick Railroad Company.

On motion of Mr. McKleroy the blank, in section —, was filled by inserting the words, "one fourth of one per cent."

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 87, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKleroy, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—87.

Mr. Hudson moved to reconsider the vote by which the

House passed the bill (H. R. No. 246) on yesterday.

The motion was lost.

The Speaker announced that he had added to the Committee on Agriculture and Commerce Messrs. Hubbard and Hobson.

Mr. Jolly moved to suspend the regular order of business in order that the standing committees might report.

Lost.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Crews—

H. R. No. 374. To amend section 3932 of the Revised Code.

By Mr. Rodgers, (with evidence of publication of notice, &c.)—

H. R. No. 375. To incorporate Hopewell Church, in Bullock county, Alabama, and to prohibit the sale of vinous or spirituous liquors within a mile and a half of said church.

By Mr. Wall—

H. R. No. 376. To amend section 2077 of the Revised Code of Alabama.

By Mr. Denson, (by instructions from Committee on Accounts and Claims)—

H. R. No. 377. For relief of J. R. Wing;

Also—

H. R. No. 378. For the relief of J. D. Hogan.

By Mr. Cunningham, of Lauderdale—

H. R. No. 379. To declare a lien in favor of woodworkmen and blacksmiths.

By Mr. McDonald—

H. R. No. 380. To regulate the fees of notaries public and justices of the peace in Lawrence county.

By Mr. Betts—

H. R. No. 381. To amend section 12 of chapter 6 of an act to establish a revenue code for the State of Alabama, approved March 6, 1876;

Also—

H. R. No. 382. To amend sub-division 22 of section 7 of chapter 9 of an act to establish a revenue code for the State of Alabama, approved March 6, 1876;

Also---

H. R. No. 383. To amend sub-division 1 of section 7 of

chapter 9 of act to establish a revenue code for the State of Alabama, approved March 6, 1876 ;

Also---

H. R. No. 384. To amend sub-division 20 of section 7 of chapter 9 of an act to establish a revenue code for the State of Alabama, approved March 6, 1876 ;

Also---

H. R. No. 385. To amend sub-division 18 of section 7 of chapter 9 of an act to establish a revenue code for the State of Alabama, approved March 6th, 1876 ;

Also---

H. R. No. 386. To amend section 1 of chapter 3 of an act to establish a revenue code for the State of Alabama, approved March 6th, 1876.

By Mr. Muldon---

H. R. No. 387. To amend paragraph 6 section 1 chapter 2 of the revenue code ;

Also---

H. R. No. 388. To amend paragraph 2 section 5 chapter 3 of the revenue code.

By Mr. Glennon---

H. R. No. 389. To compel railroads to remove obstructions to a clear view of bridges across navigable streams.

By Mr. Herndon---

H. R. No. 390. To further regulate property exempted from sale for the payment of debts under legal process or administration, and to provide further for the ascertainment and protection of such exempted property.

By Mr. Glennon---

H. R. No. 391. To amend section 3668 of the Revised Code.

By Mr. McKinstry, (with evidence of publication of notice, &c.)---

H. R. No. 392. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within one mile of Bethany Church, in Pickens county.

By Mr. Goldthwaite---

H. R. No. 393. To provide for the return of books heretofore furnished by the State to county solicitors ;

Also---

H. R. No. 394. To provide for the recovery of personal property, in specie, claimed under a mortgage.

By Mr. Taylor---

H. R. No. 395. To prevent intrusion or trespass by hunters on enclosed lands, fields or pastures.

By Mr. Clements, (with evidence of publication of notice, &c.)---

H. R. No. 396. For the relief of Elijah M. Burton, sheriff of Tuskaloosa county.

By Mr. Mott---

H. R. No. 397. To hold a special election in the county of Washington to ascertain the will of the people as to changing the location of the county seat;

By Mr. Fletcher---

H. R. No. 398. To authorize the city of Huntsville to levy a special tax;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Allen submitted petition of citizens of Talladega county against the passage of a law taxing dogs;

Which was read and referred to the Committee on Agriculture and Commerce.

REPORTS FROM STANDING COMMITTEES.

Mr. Jolly, from the Committee on Corporations, reported a substitute for the bill---

H. R. No. 304. To amend an act to fix the term of office of the aldermen of the city of Mobile, and to provide for filling vacancies therein.

The substitute was adopted, and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 82, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, and Welch—82.

Nays—Messrs. Blevins, Johnston and Lewis—3.

Also, from same committee, reported favorably to the bill---

H. R. No. 259. To reorganize the San Juan Mining Company of Mobile, and to extend the powers thereof.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 73, nays 3.

Yeas---Messrs. Allen, Baker, Baxter, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, DeLemos, Dillon, Espy, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Ramsey, Rodgers, Ross, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—72.

Nays—Messrs. Betts, Darden, and Fletcher—3.

On motion of Mr. Hubbard the clerk was instructed to request the Senate to return to the House the Senate bill---

s. No. 81. To arrange and number the districts, and fix the terms of the courts of the Southern Chancery Division.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 12, 1877.

Mr. Speaker :

The Senate has adopted,

H. R. No. 337. House joint resolution to inquire into the propriety of legislation upon the subject of the redemption of lands sold for taxes and purchased by the State.

Committee on the part of the Senate, Mr. Lyon, Wood, and Brooks.

And has originated and passed the following bills:

s. No. 156. To incorporate the Alabama Immigration Company.

s. No. 147. To amend section 1779 of the Revised Code.

s. No. 113. To authorize the Mobile and Girard railroad company to issue bonds and execute mortgages or deeds of trust to secure the same.

And has passed the House bill---

H. R. No. 273. To make partial payment to the commissioners appointed by the Governor to revise the statutes of the State.

J. M. CARMICHAEL,
Secretary.

REPORTS RESUMED.

Mr. Jolly, from the Committee on Corporations, reported favorably with amendments to the Senate bill--

s. 143. To incorporate the Deshler Female Institute at Tuscumbia, Alabama.

Amend by striking out the 2nd section.

On motion of Mr. Harrington the further consideration of the bill and the report was postponed and made the special order for 12 M. Tuesday next.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 12th, 1877.

Mr. Speaker :

I am instructed by the Senate to return, as requested by the House, the Senate bill :

s. No. 81. To arrange and number the Districts and to fix the terms of the courts of the Southern Chancery Division.

J. M. CARMICHAEL,
Secretary.

Mr. Hubbard moved to reconsider the vote by which the House passed the Senate bill, No. 81, and also the vote ordering the bill to a third reading.

The motion was agreed to.

Mr. Hubbard moved to amend as follows :

Striking out all that, fixing the times for holding chancery courts of Montgomery county.

And insert in lieu thereof, these words--

"Shall be held at such times as may be prescribed by order of the Chancellor, of which twenty days notice shall be given by publication in a newspaper published in the city of Montgomery."

The amendment was adopted.

The bill ordered to a third reading forthwith, read the third time and passed.

Yeas 81, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Jack, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McKinstry, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, and White---81.

Nay—Mr. Blevins.

Mr. Brown, from the Committee on Local Legislation, reported a substitute for House bill No. 296, the substitute being entitled---

H. R. No. 296. An act to repeal an act to prohibit the sale or giving away, of spirituous or vinous liquors in certain cases, approved April 15, 1873, and the act amendatory thereof, approved March 7, 1876.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed---Yeas Yeas 51, nays 37.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cockrell, Cunningham, of Lauderdale, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gere, Gilchrist, Glenn, Glennon, Gray, Griffin, Hudson, Jolly, Kelly, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, Rodgers, Saunders, Snoddy, Stevens, of Dallas, Stephens, of Perry, Taylor, Ussery, Wall—51.

Nays—Messrs. Baldwin, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Doster, Gibson, Gilmer, Goldthwaite, Gullett, Grove, Hansburger, Harris, Harrington, Hubbard, Jackson, Jones,

Johnston, Kennedy, Lewis, McAdory, McKleroy, McWhorter, Ramsey, Robinson, Ross, Speake, Stevens, of Coffee, Titcomb, Townsend, Weatherford, Welch, and White—37.

SPECIAL ORDER.

The hour of 12 o'clock having arrived the House proceeded to the consideration of the special order, it being the bill—

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

The bill was ordered to a third reading forthwith, read the third time and, on motion of Mr. Rice, its further consideration was postponed until to-morrow morning immediately after the reading of the journal.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 228. To amend section 1 of an act to prohibit the sale of vinous, spirituous and intoxicating liquors within five miles of the following churches in Cherokee county, viz.: Big Bethel, Mt. Pleasant, Mountain Spring, Cornel, Cedar Bluff, and also within five miles of Wilsonville, and Harperville, in Shelby county, approved March 20, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 67, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Booker, Butler, Blevins, Brodnax, Brown, Caldwell Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, Dillon, Doster, Espy, Fletcher, Gere, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Hobson, Holloway, Hubbard, Jack, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, and Welch---67.

Nay—Mr. White—1.

Also, from same committee, reported favorably to the bill—

H. R. No. 264. To amend an act to prohibit the sale, gift or barter of intoxicating liquors within two miles of the Academy, in the town of Jasper, Walker county, Alabama, approved December 14, 1874.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 76, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—76.

Nay—Mr. Crump—1.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bill, and the Speaker, in the presence of the House and immediately after its title had been publicly read, signed said bill—

H. R. No. 273. To make partial payment to the Commissioners appointed by the Governor to revise the statutes of the State.

By leave, Mr. McMath introduced a bill (with petition and evidence of publication of notice)—

H. R. No. 399. To repeal an act to prohibit the sale or giving away of vinous or spirituous liquors in certain cases, approved April 15th, 1873, an act amendatory of section 1 of the same, approved March 7th, 1876, so far as the same relate to the town of Columbiana, Shelby county.

Which was read once and ordered to a second reading on to-morrow.

Mr. Crews submitted the following report, and moved that it lie on the table and three hundred copies be printed—

Which was agreed to—

REPORT OF COMMITTEE ON PENITENTIARY.

To the General Assembly of Alabama:

The Joint Special Committee of the General Assembly of Alabama, instructed by joint resolution to visit, examine and report upon the condition of the Alabama State

Penitentiary and its dependencies, beg leave to submit the following report :

Before entering upon the discharge of the duties assigned them, your committee availed themselves of the information on the subject under consideration, contained in the interesting report of the Joint Special Committee, submitted to the General Assembly January 22d, 1875, (printed,) and were also aided materially by the important and satisfactory statistics and suggestions presented in the able printed report of the Inspectors of the Alabama Penitentiary for the year ending September 30, 1876. Your committee also consulted with especial interest that portion of the annual message of His Excellency, Governor Houston, relating to the penitentiary, (see pages 13, 14, 15 and 16 of printed copy,) as containing not only the highest official information on the subject, but also the matured opinions of an able, thoughtful and diligent supervisor of this and all other State institutions claiming his executive care; and beg to say here, in advance of the conclusions of this report, that in their opinion the legislation recommended by His Excellency, in behalf of the penitentiary, cannot be neglected by the General Assembly without serious detriment to the present and future efficiency of the institution.

VISIT.

Your committee proceeded to visit the penitentiary on the morning of November 30th, arriving there about 2 o'clock p. m. of that day, and entered without delay upon the investigations incident to the discharge of their duties. The visit being unannounced, we had, in our opinion, an excellent opportunity for observing the operations of the system and details of management in their "every day" or customary routine. Every facility needed for a careful and thorough examination into the condition of the prison and its inmates, was promptly and willingly accorded to us by the Warden and his associates, of which we availed ourselves ; and by dividing out the work, so that each had assigned to him his special field of enquiry and observation, while none the less a general observer, we soon became familiar with the work, and readily acquired the information desired.

As regards the condition and treatment of the prisoners, our inquiries and examinations were minute and very

thorough. In direct contact with the prisoners, and being alone with them, we invited the free expression of their opinions, or complaints if any, as to their treatment and the general discipline of the institution, and the information thus elicited was very gratifying, and we think quite reliable.

Without dissent, or variation as to general facts, the convicts all concurred in assuring your committee that the agents of the State having charge of these unfortunates had been uniformly kind and just in exercising authority over them, while all reasonable wants were promptly listened to and provided for.

We were convinced, from actual observation and ample proofs, of these facts :

1st. That every prisoner was adequately supplied with proper and well prepared food, as well as furnished with all needed as well as suitable clothing.

2d. That the cells, including beds and furniture, were clean and admirably adapted to the purpose, while everything about that portion of the building was as airy and comfortable as is possible in a prison lock-up.

3d. That the hospital accommodations are ample, and well devised to suit the wants and secure the comfort of the sick, while the statement gratefully volunteered by invalids of kind visitations from, and delicacies furnished by the ladies of warden's family, gave us additional assurance that this important department was admirably administered.

4th. That the sanitary regulations, including an abundant supply of pure spring water, conducted through the premises, supplying bath houses, laundry, kitchen and cattle sheds, and forced in its waste to scour at frequent intervals all sewers and vaults, claimed our especial notice and commendation.

5th. That the accounts, vouchers and records are accurately and neatly kept, and well suited to exemplify the limited industrial operations now conducted in the establishment, while the system is susceptible of adaptation to any variety of pursuits which may be required in the future exigencies of the prison.

Your committee beg also to state, in terms of unqualified approbation and approval, their appreciation of the services rendered to this institution, and through it to the State, by Col. J. G. Bass, the warden of the penitentiary. By untiring effort and great administrative skill, he has

brought order and thrift out of confusion and dilapidation, and has organized into profitable producers the squads of convict laborers who, less than two years ago, were turned over to him as expensive dependents upon State appropriations. As illustrating the success of his administration as warden, we refer to the following results, attested by your records, viz.:

The report of the Inspectors of the penitentiary for the year ending September 30th, 1876, shows a net profit, including payments on State farm debt of.....	\$ 30,882 40
While the net loss for the year ending September 30th, 1874, (the year preceding Col. Bass' administration), as stated in your reports, was.....	29,569 71

Showing a difference of.....	\$ 60,352 11
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Between the two years, and which, after all due allowance for disasters to the crops in 1874; in reducing the income of that year, is still a fair criterion of the merits of the systems of administration prevailing *then* and *now*.

We beg permission to say, in this connection, that an officer of such approved record, should receive a salary somewhat proportioned to his services and usefulness, and that in our opinion his present salary of \$2,000 is inadequate, and should be increased at least \$500, making it \$2,500 per annum.

Your committee beg leave to commend with special approval, the efforts of the warden to supply the convicts with vegetables, and his success, so far as the limited garden area permitted, in providing this healthy and necessary food. More land is needed for this purpose, and we recommend that the sum of (\$500) five hundred dollars be appropriated to enable the warden to purchase and inclose a tract of land, containing about thirty acres, and lying contiguous to the penitentiary property, to be used as a vegetable farm, and for pasturage. Your committee examined the property above alluded to, and consider its acquisition very desirable for obvious reasons. It would certainly conduce to the health and comfort of the prisoner, and at the same time, by cheapening the cost of food, add to the revenues of the State.

Your committee visited the State, or penitentiary farm, and carefully examined it, giving special attention to the condition of the convicts employed thereon, and in charge

of Col. Thos. Williams, lessee under contract with the State. (100 convict laborers are allotted to Col. Williams under this contract for eight years, from September 30th, 1875, and the annual product, \$9,875, credited yearly as a payment on the farm property.) We found only thirty (of the 100) convicts on the State property, the remainder being employed on an upland farm belonging to the lessee, which was also visited with a view to ascertaining the condition of *all* prisoners under charge of this contractor. It is proper here to allude to an enquiry which suggested itself to us—whether this division of the force entrusted to Col. Williams meets the requirements of the law and the obligations of his contract? and commend the subject to the attention of the Inspectors of the Penitentiary. These being the only convict laborers outside of the walls of the prison whom it was our privilege to meet, we availed ourselves of the opportunity to confer with the prisoners freely. They were generally hearty and contented, and we encouraged them to persevere in their efforts to secure reports of “good conduct”—while we urged upon the contractors the necessity for a watchful and generous regard for the wants of these dependents—a suggestion deemed advisable by us, for there was an appearance of “scantiness” in rations and clothing, though the laborer appeared to be satisfied with them. Your committee were necessarily forced to consider the duties which appertain to the penitentiary inspectors, in their relations to the numerous squads of convicts located, as must needs be under the contract system, in different portions of the State, and rendering the duties of those officers difficult, engrossing and expensive. We are satisfied that two active and intelligent inspectors could perform the duties required, if the compensation was raised to five hundred dollars per annum, and by reducing the number from three to two, the actual additional expense incurred would be a mere trifle, while in our opinion the efficiency of the board would be greatly increased. More frequent and prolonged visits by the inspectors, to the places where convicts are employed, is a plain and urgent necessity not contemplated at the time of their appointment, and we hope these suggestions will claim your attention and meet your approval. As pertinent to this subject, we beg to state that of the 577 convicts now under control of the warden and inspectors, only 70 of them are within the prison walls, while 507 are employed as laborers under twelve contractors, lo-

cated in different counties of the State, and widely separated from the central prison and from each other by distance and means of access.

CONCLUSION.

Your committee are satisfied that the convicts under care of the State are well clothed and fed, and in this respect are perhaps especially favored and well conditioned, while in the penitentiary proper many facilities for mental and moral improvement are afforded. Redeemed, however, as this institution now is, from its recent degradation, and in its newly restored prosperity, claiming again the attention and interest of the State as a well ordered and thriving penitentiary, what new duty claims your consideration in behalf of its unfortunate inmates? Mark with us the ignorance which characterizes the mass of your convicts, and clouds, as with a pall, their degraded minds, shutting out the light of knowledge, and luring only to vice. Is there "no balm in Gilead" for these benighted culprits, no physician nigh to heal their mental and moral diseases? Is it not the duty of the State as the guardian of the criminal classes confined in the State's prison, and dependent upon its magnanimity and charity, to provide alike for their physical, mental and moral wants?

One of the great objects of the penitentiary system is to *reform the vicious*, and thus restore them to society as harmless and useful citizens.

Calling attention to the duties and obligation above hinted at, and without attempting to suggest a plan for their accomplishment, we beg to close this report, with an earnest appeal in behalf of the mental, moral and religious instruction of the convict.

J. A. BILLUPS, Ch'n.,

J. H. BANKHEAD,

J. E. CREWS,

GEORGE C. SANDERS,

O. S. BEERS,

Joint Committee.

On motion of Mr. McDavid, the vote by which the bill H. R. No. 345. was referred to Judiciary Committee was reconsidered, and the bill was referred to the Committee on Local Legislation.

On motion of Mr. Speake, the House adjourned until 9½ o'clock to-morrow morning.

THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Saturday, January 13, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Crump, of the House.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, Wall, Weatherford and Welch—87.

Journal of yesterday read and approved.

Leave of absence was granted Messrs. McAdory, Doster and Kirkland for one day.

BILLS ON SECOND READING.

The bills—

H. R. No. 374. To amend section 3932 of the Revised Code ;

H. R. No. 376. To amend section 2077 of the Revised Code ;

H. R. No. 391. To amend section 3668 of the Revised Code ;

H. R. No. 393. To provide for the return of books heretofore furnished by the State to county solicitors ;

H. R. No. 394. To provide for the recovery of personal property, in specie, claimed under a mortgage ;

H. R. No. 390. To further regulate property, exempted from sale for the payment of debts, under legal process or administration, and to provide for the ascertainment and protection of such exempted property ;

Were severally read the second time and referred to the Judiciary Committee.

The bills—

H. R. No. 375. To incorporate Hopewell Church, in Bullock county, Alabama, and to prohibit the sale of vinous or spirituous liquors within one mile and a half of said church;

H. R. No. 396. For the relief of Elijah M. Burton, sheriff of Tuscaloosa county;

H. R. No. 392. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within one mile of Bethany Church, in Pickens county.

H. R. No. 397. To hold a special election in the county of Washington to ascertain the will of the people as to changing the location of the county seat;

H. R. No. 399. To repeal an act to prohibit the sale or giving away of vinous or spirituous liquors in certain cases, approved April 15th, 1873, and an act amendatory of section one of the same, approved March 7th, 1876, so far as the same relates to the town of Columbiana, Shelby county;

Were severally read the second time and referred to the Committee on Local Legislation.

The bills---

H. R. No. 377. For relief of J. R. Wing;

H. R. No. 378. For the relief of J. D. Hogan;

Were severally read the second time and referred to the Committee on Accounts and Claims.

The bill---

H. R. No. 389. To compel railroads to remove obstructions to a clear view of bridges across navigable streams.

Was read the second time and referred to the Committee on Internal Improvements.

The bills--

H. R. No. 379. To declare a lien in favor of woodworkmen and blacksmiths.

H. R. No. 381. To amend section 12 of chapter 6 of an act to establish a revenue code for the State of Alabama, approved March 6, 1876;

H. R. No. 382. To amend sub-division 22 of section 7 of chapter 9 of an act to establish a revenue code for the State of Alabama, approved March 6, 1876;

H. R. No. 383. To amend sub-division 1 of section 7 of chapter 9 of act to establish a revenue code for the State of Alabama, approved March 6, 1876;

H. R. No. 384. To amend sub-division 20 of section 7 of

chapter 9 of an act to establish a revenue code for the State of Alabama, approved March 6, 1876 ;

H. R. No. 385. To amend sub-division 18 of section 7 of chapter 9 of an act to establish a revenue code for the State of Alabama, approved March 6th, 1876 ;

H. R. No. 386. To amend section 1 of chapter 3 of an act to establish a revenue code for the State of Alabama, approved March 6th, 1876.

H. R. No. 387. To amend paragraph 6 section 1 chapter 2 of the revenue code ;

H. R. No. 388. To amend paragraph 2 section 5 chapter 3 of the revenue code.

Were severally read the second time and referred to the Committee on Ways and Means.

The bill---

H. R. No. 395. To prevent intrusion or trespass by hunters on enclosed lands, fields or pastures.

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill---

H. R. No. 380. To regulate the fees of notaries public and justices of the peace in Lawrence county.

Was read the second time and referred to the Committee on Fees and Salaries.

The bill---

H. R. No. 398. To authorize the city of Huntsville to levy a special tax ;

Was read the second time and referred to a Special Committee consisting of the Madison delegation.

RECONSIDERATION.

On motion of Mr. Kirkland the vote by which the House bill No. 296 passed on yesterday was reconsidered, also the vote ordering it to a third reading, and the bill was recommitted.

SENATE MESSAGES.

She Senate bills---

s. No. 113. To authorize the Mobile and Girard Railroad Company to issue bonds and to execute mortgages or deeds of trust to secure the same ;

s. No. 147. To amend section 1779 of the Revised Code ;

s. No. 156. To incorporate the Alabama Immigration Company ;

Were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

The House next proceeded to the consideration of the special order for this hour, viz: the bill---

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

Pending its consideration, the following messages were received :

SENATE CHAMBER, January 13, 1877.

Mr. Speaker:

The Senate has passed the following House bills---

H. R. No. 18. To repeal an act to establish separate school districts within the several counties of this State, approved March 6th, 1876.

H. R. No. 187. To regulate the sessions of the city court of Mobile.

And has adopted House joint resolution and memorial, as follows—

H. R. No. 373. Joint resolution raising a joint committee to whom shall be referred the Governor's message and the report of the commissioners, made under joint resolution, approved March 8th, 1876.

Committee on the part of the Senate: Messrs. Billups and Robinson.

H. R. No. 372. Joint memorial to the Congress of the United States praying the repeal of the tax on spirits distilled from fruits.

And has concurred in House amendments to the following Senate bills—

s. No. 5. To repeal chapter seven of title three of part four, and section 3931, of the Revised Code so far as the same relates to the counties of Dallas and Lee. •

s. No. 81. To arrange and number the districts and to fix the terms of the courts of the Southern Chancery Division.

And has adopted—

Joint resolution creating a joint committee to examine into the laws of interest and usury.

Committee on the part of the Senate: Messrs. Brooks and Sherrod.

J. M. CARMICHAEL,
Secretary.

SENATE CHAMBER, January 13th, 1877.

Mr. Speaker :

The Senate has passed the following bill—

s. No. 141. To increase the criminal jurisdiction of justices of the peace and notaries public having like powers in the counties of Lee and Wilcox.

And has passed the following House bill—

H. R. No. 40. To amend section one of chapter three of the revenue code.

J. M. CARMICHAEL,
Secretary.

SENATE CHAMBER, January 13, 1877.

Mr. Speaker :

The Senate has passed and ordered to the House forthwith, without engrossing, the following bill—

s. No. 135. To define and limit the number of counties to compose the Eastern Chancery Division.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

Montgomery, ALA., January 13, 1877.

Mr. Speaker :

The Governor has approved the following bill which originated in the House—

H. R. No. 273. "An act to make partial payment to the commissioners appointed by the Governor to revise the statutes of the State."

Respectfully,

IKE H. VINCENT,
Private Secretary.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker in the presence of the House, after said bills had been publicly read by their titles, signed said bills :

H. R. No. 18. To repeal an act entitled an act to establish separate school districts within the several counties of this State, approved March 6, 1876.

H. R. No. 40. To amend section 1 chapter 3 of Revenue Code.

H. R. No. 187. To regulate the sessions of the city court of Mobile.

The Speaker also in the presence of the House, immediately after titles thereof had been publicly read, signed the following Senate bills:

s. No. 55. To amend section 3724 of the Revised Code.

s. No. 116. To attach the west half of township twenty, range six, east, in Perry county, to the county of Hale.

The House having resumed the consideration of the bill---

H. R. No. 182. To establish a surrogate court for the county of Wilcox;

Mr. Fletcher moved to postpone the further consideration of the bill until Monday next and make it the special order immediately after the reading of the journal.

Lost.

On motion of Mr. Glennon, the further consideration of the bill was postponed until Monday next, 10½, and made the special order for that hour.

By leave, the following bills were introduced:

By Mr. McKleroy, with evidence of publication of notice, &c.)---

H. R. No. 400. To incorporate the town of Marion, in Perry county, as a separate public school district.

Also, (with evidence of publication of notice, &c.)---

H. R. No. 401. To amend section 20 of an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16, 1870.

Also, (with evidence of publication of notice)---

H. R. No. 402. For the relief of B. J. Hoole, of Barbour county.

By Mr. Gere---

H. R. No. 403. To amend an act entitled an act to require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for filing the same.

By Mr. Glennon---

H. R. No. 404. To amend section 4259 of the Revised Code;

By Mr. Crews---

H. R. No. 405. To amend section 3517 of the Revised Code;

By Mr. Cunningham, of Lauderdale---

H. R. No. 406. To amend section 3556 of the Revised Code;

By Mr. Griffin---

H. R. No. 407. To provide for the collection and distribution of the fine and forfeiture fund of Marshall county;

Also,

H. R. No. 408. To amend section 2996 of the Revised Code;

By Mr. McWhorter (with evidence of publication of notice)---

H. R. No. 409. To abolish the provisions of an act entitled an act to abolish fencing in certain portions of Montgomery county, so far as it relates to stock owned by citizens of Macon county;

H. R. No. 410. To regulate the charges for transportation of freight and passengers upon railroads within this State;

Which bills were severally read once and ordered to a second reading on to-morrow.

Leave of absence was granted Mr. Snoddy for five days, commencing from Monday next.

On motion of Mr. Blevins the House adjourned until Monday morning 9½ o'clock.

THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Monday, January 15, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hub-

bard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White.

Journal of Saturday read and approved.

Leave of absence was granted Mr. McDavid for one day on account of sickness.

BILLS ON SECOND READING.

The bills—

H. R. No. 400. To incorporate the town of Marion, in Perry county, as a separate public school district.

H. R. No. 401. To amend section 20, of an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16th 1870.

Were severally read the second time, and referred to the Committee on Education.

The bills—

H. R. No. 402. For the relief of B. J. Hoole, of Barbour county.

H. R. No. 406. To amend section 3556 of the Revised Code.

Were severally read the second time, and referred to the Committee on Ways and Means.

The bills—

H. R. No. 403. To amend an act to require county claims to be itemized, and sworn to, before allowances are made by the court of county commissioners, and to provide for the filing the same.

H. R. No. 405. To amend section 3517 of the Revised Code.

Were severally read the second time, and referred to the Committee on Fees and Salaries.

The bills—

H. R. No. 404. To amend section 4259, of the Revised Code.

H. R. No. 407. To provide for the collection, and distribution of the fine and forfeiture fund of Marshall county.

H. R. No. 408. To amend section 2996, of the Revised Code.

H. R. No. 410. To regulate the charges for the transportation of freight and passengers upon railroads, within this State.

And the Senate bill—

s. No. 113. To authorize the Mobile and Girard Railroad Company to issue bonds and execute mortgages, or deeds of trust, to secure the same.

Were severally read the second time, and referred to the Judiciary Committee.

The Bill—

H. R. No. 409. To abolish the provisions of an act to abolish fencing in certain portions of Montgomery county, so far as it relates to stock owned by citizens of Macon county.

Was read the second time, and referred to the Committee on Agriculture and Commerce.

The Senate bills—

s. No. 147. To amend section 1779, of the Revised Code.

s. No. 156. To incorporate the Alabama Immigration Company.

Were severally read the second time and referred to the Committee on Corporations.

SENATE MESSAGES.

The Senate Bills—

S. No. 135. To define and limit the number of counties to compose the Eastern Chancery Division of this State.

s. No. 141. To increase the criminal Jurisdiction of Justices of the Peace, and Notaries Public, having like powers in the counties of Lee and Wilcox.

Were severally read once, and ordered to a second reading on to-morrow.

The House concurred in Senate joint resolution, raising Joint Committee, to examine into the laws of interest and usury.

Committee on the part of the House:

Messrs. Beers, Gere and Jackson.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Stevens, of Coffee, (with petition and evidence of publication of notice, &c.)

H. R. No. 411. To repeal an act to prohibit the sale, or giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating beverages, within three miles of Bethsada church, and Beulah Baptist church, in Montgomery county, approved March 18th 1875, so far as the same relates to Beulah Baptist church.

By Mr. Doster—

For the correction of errors of tax collectors, against tax-payers, when over payment has been made.

Also—

H. R. No. 413 To regulate the fees of Probate Judges in certain cases.

By Mr. Bets—

H. R. 414. To amend an act to induce immigration into the State of Alabama.

Also—

H. R. 415. To require the criminal docket, in the circuit court of Madison county, to be taken up on the fourth week of the session.

By Mr. Muldon—

H. R. No. 416. To amend section 1798, of the Revised Code.

By Mr. Ussery, (with petition and evidence of publication of notice, &c.)

H. R. No. 417. For the relief of Sarah J. Knight and William R. Knight—

By Mr. Taylor—

H. R. No. 404. To amend act to amend section 2704 of the Revised Code, approved March 2d, 1875.

Also—

H. R. No. 419. To regulate the duty of the supreme court, in cases of appeal from any orders or decree of any chancery or probate court, when any question of fact has been passed upon without the intervention of a jury.

By Mr. Manasco, or Walker—

H. R. No. 420. To require clerks of the circuit and city courts to record indictments in certain cases.

By Mr. Mott—

H. R. No. 421. To amend section 9, of chapter 4, of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

By Mr. Gullett—

H. R. No. 422. To facilitate the trial of perons charged with certain misdemeanors.

By Mr. Betts—

H. R. No. 423. To amend section 7, of chapter 4, of the Revenue Code.

By Mr. Townsend---

H. R. No. 424. To amend Section 2076, of the Revised Code.

By Mr. Butler---

H. R. No. 425. To grant manufacturers of woollen goods beyond the State the privilege of bartering, or selling such goods in Jackson county, without a license :

Which bills were severally read once, and ordered to a second reading on to-morrow.

Mr. Allen presented petition of citizens of Calhoun in favor of the passage of a dog law.

Which was referred to Committee on Agriculture and Commerce.

Mr. Shields presented petition of citizens of Citronelle, Ala., against the repeal of the act of the last Legislature, entitled an act to prohibit the sale or giving away of spirituous, vinous or intoxicating liquors, within two miles of the Methodist Church South, in the town of Citronelle, Ala.

The petition was referred to the Committee on Local Legislation.

Mr. Beers presented the petition of Messrs. B. Gonbil, John W. Darwe and others---

Gunsmiths and dealers in that line, in the city of Mobile, asking a modification or repeal of the revenue law that imposes a license tax on their business.

The petition was referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 12, 1877.

Mr. Speaker :

The Senate has originated and passed the following bills :
s. No. 175. To provide for the prosecution of crime in the county courts of this State.

s. No. 79. For the protection of the sureties on the bonds of executors and administrators.

s. No. 161. To amend section 3945 of the Revised Code, with relation to the jurisdiction of offenses committed on or near county boundaries.

And has passed the following House bill :

H. R. No. 321. To authorize the court of county com-

missioners of Madison county to purchase real estate at mortgage sale.

J. M. CARMICHAEL,
Secretary.

REPORTS FROM STANDING COMMITTEES.

Mr. Brown, from the Committee on Local Legislation, reported favorably, with amendments, to the bill—

H. R. No. 188. To repeal all laws authorizing the collection of a special tax for the purpose of building bridges, "so far as the same relates to the county of Pike."

Amend by inserting before the word provided the following: "So far as they relate to the county of Pike."

Also, strike out these words in the proviso: "Shall take effect from and after the first day of January, 1877, &c.")

The amendments were adopted, the bill ordered to a third reading forthwith, read the third time and passed—yeas 82, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—82.

Also, from same committee, reported favorably to the bill—

H. R. No. 249. To authorize the executors of the last will and testament of Rufus H. Clements, deceased, to sell certain lands in Tuscaloosa at private sale.

On motion of Mr. Denson, the bill was recommitted to Judiciary Committee, with instructions to inquire whether the Constitution prohibits the passage of such bills by the General Assembly.

Also, from same committee, reported favorably with amendment to the bill---

H. R. No. 189. To regulate the publication of legal notices in the county of Bibb.

Amend section 1, by way of a substitute.

The amendment was adopted, the bill ordered to a third reading forthwith, read the third time and passed---yeas 81, nays 0.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---81.

ENROLLED BILLS.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after their titles had been publicly read,, signed said bills---

H. R. No. 321. To authorize the court of county commissioners of Madison county to purchase real estate at mortgage sale.

H. R. No. 372. Joint memorial to the Congress of the United States, praying the repeal of the tax on spirits distilled from fruits.

SIGNING SENATE BILLS.

The Speaker, also, immediately after the titles thereof had been publicly read signed, in the presence of the House, the following Senate bills—

s. No. 215. To amend section two and sixteen of an act to incorporate the town of Livingston, in Sumter county, approved January 25, 1867, and to amend section one of an act to define the corporate limits of the town of Livingston, in Sumter county Alabama, approved February 24th, 1872.

s. No. 29. To amend section 2562 of the Revised Code.
 s. No. 5. To repeal chapter seven of title 3 of part 4, and section 3931, of the Revised Code so far as the same relates to the counties of Dallas, Lee and Autauga.

s. No. 81. To arrange and number the districts and to fix the terms of the courts of the Southern Chancery Division.

SPECIAL ORDER.

The hour of half past ten o'clock having arrived the House proceeded to the consideration of the special order for this hour, it being the bill—

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

Mr. McDonald moved to lay the bill on the table.

Lost—yeas 42, nays 51.

Yeas—Messrs. Baker, Baldwin, Baxter, Beers, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gullett, Glennon, Griffin, Hansburger, Harris, Herndon, Hobson, Holloway, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McMath, Rice, Ross, Shields, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery and White—42.

Nays—Messrs. Speaker, Allen, Beard, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Harrington, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDuffie, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Weatherford and Welch—51.

Mr. Rice moved to postpone the further consideration of the bill until Wednesday next, 12 M., and then the House shall come to a vote on the bill without further debate.

The motion was lost.

And the question being upon the passage of the bill it was lost—yeas 46, nays 47.

Yeas—Messrs. Speaker, Allen, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn,

Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDuffie, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall and Welch—46.

Nays—Messrs. Baker, Baldwin, Baxter, Beers, Betts, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hudson, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McMath, Rice, Ross, Shields, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery, Weatherford and White—47.

Mr. Cockrell was excused from voting, having paired with Mr. Dean, the former would have voted against the bill, the latter for it.

Mr. Cashin moved to reconsider the vote by which the bill was lost, and to lay that motion on the table.

The latter motion was not agreed to—yeas 47, nays 48,

Yeas.—Messrs. Baker, Baldwin, Baxter, Beers, Betts, Butler, Blevins, Cashin, Cockrell, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McMath, Rice, Ross, Shields, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery, Weatherford and White—47.

Nays—Messrs. Speaker, Allen, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Hudson, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDuffie, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall and Welch—48.

By leave Mr. Cashin withdrew his motion to reconsider.

REPORTS FROM COMMITTEES—RESUMED.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 319. To prohibit the sale or gift of intoxicating

beverages in the town of Brewton, in the county of Escambia, and within three miles of Brewton Academy from and after December 31st, 1877.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 68, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Hobson, Holloway, Hubbard, Jack, Jones, Kelly, Kennedy, Kirkland, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Shields, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---68.

Nays---Messrs. Manasco, of Walker, and White.

Also, from same committee, favorably to the Senate bill—

s. No. 115. For the relief of Robert S. Carroll, of Perry county, Alabama, and to authorize him to peddle without a license.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 69, nays 4.

Yeas—Messrs. Speaker, Allen, Baldwin, Beers, Betts, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffir, Grove, Hansburger, Harrington, Hobson, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Smith, Speake, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch, White---69.

Nays—Messrs. Bishop, Darden, Holloway, Lewis, and Ross---4.

Also, from same committee, reported favorably to the bill---

H. R. No. 332. To repeal an act to prohibit the sale or giving away of spirituous liquors within three miles of the

Baptist and Presbyterian churches at Pleasant Hill, Dallas county, approved February 19, 1876.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 69, nays 5.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Butler, Blevins, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gilchrist, Goldthwaite, Glenn, Glennon, Griffin, Hansburger, Harrington, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Johnston, Kelly, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---69.

Nays—Messrs. Caldwell, Crump, Darden, Gullett, Grove---5.

*Mr. Denson, from Committee on Accounts and Claims, reported favorably to the bills:

H. R. No. 377. For the relief of J. R. Wing.

H. R. No. 378. For relief of I. D. Hogan.

On motion of Mr. McKleroy the bills were referred to the Committee on Appropriations, with instructions to incorporate the same in the general appropriation bill.

Mr. Harrington, from the Committee on Finance, reported a substitute for the bill---

H. R. No. 234. To regulate the pay of the county commissioners of Colbert county.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed---Yeas 70, nays 0.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gere, Goldthwaite, Gullett, Glenn, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hudson, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Robinson, Rodgers, Ross, Smith,

Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Welch, White—70.

Nay—Mr. Prowell—1.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

January 15, 1877.

Mr. Speaker:

The Governor has approved the following bill which originated in the House of Representatives.

H. R. No. 321. To authorize the court of county commissioners of Madison county to purchase real estate at mortgage sale.

Respectfully,

IKE H. VINCENT,
Private Secretary.

Mr. Harrington asked and obtained leave to have his name stricken from the list of the yeas, on the passage of the bill---

H. R. No. 129. To regulate the liability of railroads for the killing of stock;

His name having been recorded as voting for the bill in the proceedings of the 12th of December, 1876, stating as his reason for making the request that he had voted through inadvertence, and that on account of being a stockholder in the Memphis and Charleston railroad company he was prohibited by the Constitution from voting on the question.

Mr. Fletcher, who voted against the passage of the bill, made a similar request, which was granted.

By leave, Mr. White offered the following resolution, which, on motion of Mr. Fletcher, was referred to the Committee on the State Capitol:

Resolved, That Dr. Trotter be allowed the use of the hall, upon the evenings of the 16th and 17th insts., at 7 o'clock, P. M., for the purpose of lecturing upon the sciences of Phycology, Phrenology, and Physiology.

Mr. Hubbard gave notice that on to-morrow he would move to change the rule fixing the time of meeting and adjourning each day, by making the hour for meeting "9 A. M." and for adjourning "2 P. M." instead of "9½ A. M. and 3 P. M."

On motion of Mr. Townsend the House adjourned until to-morrow morning 9½ o'clock.

THIRTY-FOURTH DAY.

Tuesday, January 16th, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Grove, of the House.

On the call of the roll the following members were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullet, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—94.

Journal of yesterday read and approved.

By leave Mr. Betts, from the Committee on Ways and Means reported favorably to the bill—

H. R. No. 302. To require tax collectors and others to pay into the treasury all currency collected by them, and to provide for the payment of interest on the public debt.

Mr. McKleroy moved to amend by adding to section 3 the following: "Provided, however, that all currency collected as poll tax shall be retained in the county and paid over to the proper custodians of the school fund."

The amendment was adopted, the bill ordered to a third reading forthwith, read the third time and passed.

Yeas 88, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter,

Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDonald, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—88.

Nay—Mr. Harrington—1.

Mr. Hudson moved to reconsider the vote by which the bill—

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

Was lost on yesterday.

Mr. Harris moved to lay the motion on the table.

Lost.

Yeas 46, nays 49.

Yeas—Messrs. Baker, Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McMath, Rice, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery, and Weatherford—46.

Nays—Messrs. Speaker, Allen, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Hudson, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinstry, McKleroy, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Welch and White—49.

Pending the consideration of the motion to reconsider, the following message was received from the Governor by Mr. Vincent, his private Secretary :

EXECUTIVE DEPARTMENT,
January 15, 1877.

Gentlemen of the Senate, and of the House of Representatives of Alabama :

I have the honor to transmit herewith the report of the trustees of the State University at Tuscaloosa, to the General Assembly, as required by an act approved March 1st, 1876.

Very respectfully,
GEO. S. HOUSTON,
Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 16th, 1877.

Mr. Speaker :

The Senate has adopted the following joint resolution :

Resolved by the Senate the House of Representatives concurring, That a joint committee consisting of three on the part of the Senate and four on the part of the House of Representatives, be appointed with instructions to report on what day the present session of the General Assembly must terminate by constitutional limitation.

Committee on part of the Senate—Messrs. Torrey, Little and Billups.

J. M. CARMICHAEL.
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

January 16, 1877.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives :

187. An act to regulate the sessions of the city court of Mobile.

40. An act to amend section 1 of Chapter III of Revenue Code.

18. An act to repeal an act entitled an act to establish

separate school districts within the several counties of this State, approved March 6th, 1876.

372. Joint Memorial to the Congress of the United States, praying the repeal of the tax on spirits distilled from fruits.

Respectfully,

I. H. VINCENT,

Private Secretary.

The House resumed the consideration of the motion to reconsider.

Mr. Baker called for the previous question.

And the question being, shall the main question be now put?---carried.

The motion to reconsider was agreed to---yeas 48, nays 45.

Yeas—Messrs. Speaker, Allen, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Hudson, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Welch---48.

Nays---Messrs. Baker, Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McFarlane, McMath, Rice, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery, White---45.

Mr. McAdory called for the previous question, (it being the passage of the bill.)

The main question was ordered, and the bill passed---yeas 47, nays 46.

Yeas—Messrs. Speaker, Allen, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McWhorter, Prowell,

Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Welch—47.

Nays—Messrs. Baker, Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hudson, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McFarlane, McMath, Rice, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery, White—46.

On motion of Mr. Jolly, the bill was ordered to be sent forthwith to the Senate, without engrossment.

On motion of Mr. Betts, the regular order was suspended for the purpose of taking up the bill.

H. R. No. 423. To amend section 7 of chapter 9 of the Revenue Code.

The bill was read the second time and referred to the Committee on Ways and Means.

By leave the following bills were introduced :

By Mr. Crews—

H. R. No. 426. To repeal an act to authorize the commissioner's court of Barbour county to levy a tax for county purposes, approved December 7, 1866.

Also, (with evidence of publication of notice, &c.)

H. R. No. 427. For the relief of D. H. Zorn.

By Mr. White (with petition and evidence of publication of notice, &c.)—

H. R. No. 428. To repeal an act to prohibit the sale of vinous or spirituous liquors within five miles of the following churches in Cherokee county, viz: Bethel church, Mount Pleasant church, Mountain Spring church, Cornell church and Cedar Bluff church, approved March 20, 1875, so far as it applies to Cedar Bluff church.

By Mr. Gray—

H. R. No. 429. To suppress or abate the excessive use of intoxicating liquors in the State of Alabama.

By Mr. Jones—

H. R. No. 430. To amend section 2 of an act to declare a lien in favor of laborers, mechanics and employees, and to provide for the enforcement thereof, approved March 19, 1875.

By Mr. Robinson—

H. R. No. 431. To amend an act to empower the courts of county commissioners to levy a special tax for the pur-

pose of building court houses or jails, or for the improvement of the same, approved February 15, 1876.

By Mr. Kirkland—

H. R. No. 432. To amend section 3517 of the Revised Code, in relation to fees of probate judges.

By Mr. McKleroy—

H. R. No. 433. To regulate the disposition of money received for costs, in cases of insolvent estates.

By Mr. Allen—(with evidence of publication of notice, &c.

H. R. No. 434. To incorporate the town of Anniston, Calhoun county, Ala.

By Mr. Kelly (with evidence of publication of notice and also petition against the passage of the bill)—

H. R. No. 435. To repeal an act to prohibit probate judges, circuit clerks, and registers in chancery, from receiving any fees or allowances out of the county treasury, for keeping direct and reversed indexes, so far as the same relates to Coosa county.

By Mr. Brodnax—

H. R. No. 436. To consolidate the offices of tax assessor and tax collector of Crenshaw county.

By Mr. Hobson—

H. R. No. 437. To amend section 4343 of the Revised Code.

By Mr. McFarlane—

H. R. No. 438. To repeal an act to authorize the commissioners' courts of Franklin and other counties therein named, to lay off their respective counties into four commissioners' districts, approved February 16th, 1875, so far as the same relates to Jackson county;

Which bills were severally read once, and ordered to a second reading on to-morrow.

Mr. Fletcher from special committee reported a substitute for the bill.

H. R. No. 398. To authorize the city of Huntsville to levy a special tax.

The substitute was adopted, the bill ordered to a third reading forthwith.

Read the third time and passed.

Yeas 83, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman,

DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshée, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, and White---83.

Nay—Mr. Stephens, of Perry.

Mr. Rice asked leave of absence for Mr. Cockrell for five days, on account of important business.

The House refused to grant the leave asked for.

The House then proceeded to the consideration of the motion of Mr. Hubbard to change the time for meeting and adjourning.

The resolution was amended so as to read, "That the House shall meet daily exept Sundays at 9½ A. M., and adjourn not before 2 P. M.," and as amended was adopted.

Mr. Forwood from the Committee on State Capitol made the following report:

The committee report unfavorable to the resolution allowing the use of the hall to Dr. Trotter, beleiving it would interfere with the business of the House.

The report wes received and adopted.

By leave Mr. McAdory introduced a bill—(with evidence of publication, &c., and also petition.)

H. R. No. 439. To authorize William Tanner to establish a ferry across the Warrior river, at the head on Long Shoals, at the point where the public road leading from the town of Elyton, in Jefferson county, to the town of Jasper, in Walker county.

Which bill was read once, and ordered to a second reading on to-morrow.

H. R. No. 440. Mr. Crump introduced Joint Resolution and Memorial to Congress, asking that the public lands in Alabama be granted in aid of public schools.

Which was referred to the Committee on Federal Relations.

Mr. McKleroy presented petition of citizens of Barbour county, asking for certain changes in the revenue law.

Which was referred to the Committee on Ways and Means.

Mr. Blevins offered a resolution for the appointment of a committee to investigate certain charges against the Sheriff of Marengo county.

On motion of Mr. Prowell the resolution was laid on the table.

Mr. Hobson presented memorial from citizens of Dallas county, asking for a modification of sub. 8, section 4, chapter 3, of the revenue law.

Which was referred to Committee on Ways and Means.

On motion of Mr. Fletcher the House adjourned until to-morrow morning 9½ o'clock.

THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,

Wednesday, January 17, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Demman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford Welch and White—91.

Journal of yesterday read and approved.

BILLS ON SECOND READING.

The bills—

H. R. No. 411. To repeal an act to prohibit the sale or giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or other intoxicating beverages, within three miles of Bethsada church, and Beulah Baptist Church, in Montgomery county, approved March 18, 1875, so far as the same relates to Beulah Baptist Church.

H. R. No. 425. To grant manufacturers of woolen goods beyond the State, the privilege of bartering or selling such goods in Jackson county without a license.

H. R. No. 426. To repeal an act to authorize the commissioners' court of Barbour county, to levy a tax for county purposes, approved December 7th, 1866.

H. R. No. 427. For relief of D. H. Zorn.

H. R. No. 428. To repeal an act to prohibit the sale of vinous or spirituous liquors within five miles of certain churches in Cherokee, approved March 20, 1875, so far as it applies to Cedar Bluff Church.

H. R. No. 439. To repeal an act to authorize the commissioner's courts of Franklin and other counties therein named, to lay off their respective counties into four commissioners districts, approved February 16th, 1875, in so far as the same relates to Jackson county ;

Were severally read the second time and referred to the Committee on Local Legislation.

H. R. No. 438. To authorize William Tanner to establish a ferry across the Warrior river, at the point where the public road leading from the town of Elyton, Jefferson county, to Jasper, Walker county, crosses said river ;

Was read the second time and referred to the Committee on Public Roads and Highways.

The bill—

H. R. No. 414. To amend an act to induce immigration to the State of Alabama ;

Was read the second time and referred to the Committee on Internal Improvements.

The bill—

H. R. No. 412. For the correction of errors of tax collectors against tax payers when over payment has been made ;

Was read the second time and referred to the Committee on Finance.

The bills—

H. R. No. 415. To require the criminal docket in the circuit court of Madison county to be taken up on the 4th week of the session.

H. R. No. 416. To amend section 1798 of the Revised Code.

H. R. No. 417. For the relief of Sarah J. Knight and William R. Knight.

H. R. No. 418. To amend an act to amend section 2704 of the Revised Code, approved March 2d, 1875.

H. R. No. 419. To regulate the duty of the Supreme court in cases of appeals from any order or decree of any chancery or probate court, when any question of fact has been passed upon without the intervention of a jury.

H. R. No. 420. To require clerks of the circuit and city courts to record indictments in certain cases.

H. R. No. 422. To facilitate the trial of persons charged with certain misdemeanors.

H. R. No. 424. To amend section 2076 of the Revised Code.

H. R. No. 429. To suppress or abate the excessive use of intoxicating liquors, in the State of Alabama.

H. R. No. 436. To consolidate the offices of tax assessor and tax collector of Crenshaw county.

And the Senate bills—

S. No. 135. To define and limit the number of counties to compose the eastern chancery division of this State.

S. No. 141. To increase the criminal jurisdiction of justices of the peace and notaries public, having like powers in the counties of Lee and Wilcox;

Were severally read the second time, and referred to the Judiciary Committee.

The bills—

H. R. No. 413. To regulate the fees of judges of probate in certain cases.

H. R. No. 432. To amend section 3517 of the Revised Code, relating to fees of probate judges.

H. R. No. 433. To regulate the disposition of money received for costs in cases of insolvent estates.

H. R. No. 435. To repeal an act to prohibit probate judges, circuit clerks and registers in chancery from receiving any fees or allowances out of the county treasury for keeping direct and reversed indexes, so far as the same relates to Coosa county.

H. R. No. 437. To amend section 4343 of the Revised Code;

Were severally read the second time, and referred to the Committee on Fees and Salaries.

The bill---

H. R. No. 431. To amend an act to empower the courts of county commissioners to levy a special tax for the purpose of building court-houses or jails, or for the improvement of the same, approved February 15, 1876;

Was read the second time and referred to the Committee on Counties and County Boundaries.

The bill---

H. R. No. 434. To incorporate the town of Anniston, Calhoun county, Alabama;

Was read the second time and referred to the Committee on Corporations.

The bill---

H. R. No. 430. To amend section 2 of an act to declare a lien in favor of laborers, mechanics and employees, and to provide for the enforcement thereof, approved March 19, 1875;

Was read the second time and laid on the table.

The bill---

H. R. No. 421. To amend section 9 of chapter 4 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Was read the second time and referred to the Committee on Ways and Means.

SENATE MESSAGES.

The Senate---

Joint resolution for the appointment of a joint committee to report upon what day the present session will expire by Constitutional limitation;

Was adopted.

Committee on the part of the House—Messrs. Jolly, Hubbard, McMath and Herndon.

The Senate bills---

s. No. 79. For the protection of the sureties on the bonds of executors and administrators.

s. No. 161. To amend section 3945 of the Revised Code with relation to the jurisdiction of offenses committed on or near county boundaries.

s. No. 175. To provide for the prosecution of causes in the county courts of this State;

Were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Betts—

H. R. No. 442. For the relief of general administrators;
Also—

H. R. No. 443. To regulate the fine and forfeiture funds of the several counties of this State;

Also—

H. R. No. 444. To refund certain license tax therein specified.

By Mr. George—

H. R. No. 445. To prevent intrusion or trespass on the lands of another by hunters and others.

By Mr. Muldon—

H. R. No. 446. To amend, so as to define clearly, the meaning of an act, approved December 17, 1873, entitled an act to constitute the purchasers of any railroad hereafter sold under authority of any law of this State a body corporate and politic;

Also—

H. R. No. 447. To authorize executors and administrators to defray, out of the assets of estates in their hands undistributed, the necessary and reasonable expenses of the maintenance and education of minors entitled to distribution in such estates who have no guardian.

By Mr. McWhorter, (with evidence of publication of notice, &c.)—

H. R. No. 441. To authorize and require the board of revenue of Montgomery county to discharge the duties and exercise the authority of the court of county commissioners of said county.

By Mr. Glenn—

H. R. No. 448. To incorporate the Fowl River Improvement and Navigation Company.

By Mr. Lewis—

H. R. No. 449. To prevent stock from running at large in the State of Alabama.

By Mr. Goldthwaite—

H. R. No. 450. To repeal an act to require registers in chancery and clerks of the circuit and other courts of civil or chancery jurisdiction to record certain papers therein

named, and otherwise regulate the safe keeping and use of same, approved March 6, 1876, so far as same applies to Pike county.

By Mr. Hubbard---

H. R. No. 451. To make transferrable license for retailing of liquors.

By Mr. Hollis, (with evidence of publication of notice, &c.)---

H. R. No. 452. For relief of L. M. Woffud for bringing prisoners from Mississippi.

By Mr. Grove---

H. R. No. 453. To amend an act relating to sheriff's sales in Sumter county, approved January 1st, 1840.

By Mr. Allen, (with evidence of publication of notice, &c.)---

H. R. No. 454. For the relief of Chas. Martin and E. Clark, composing the firm of Martin & Clark, in Calhoun county.

By Mr. McDuffie, (with evidence of publication of notice, &c.)---

H. R. No. 455. To reduce the number of grand and petit jurors in Geneva county ;

Also---

H. R. No. 456. To prescribe additional duties for the treasurer of Geneva county.

By Mr. Harrington---

H. R. No. 457. To authorize executors and administrators to purchase land when sold to pay the purchase money.

By Mr. Rice---

H. R. No. 458. To amend section 13 chapter 8 of an act to establish a revenue code of the State of Alabama, approved March 6, 1876 ;

Also, (with evidence of publication of notice, &c.)---

H. R. No. 459. To provide for the payment, out of the general fund of Montgomery county, of the fees due to Robert Parker for services performed by him as coroner of said county.

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. McDonald offered the following joint resolution, which, on motion of Mr. Betts, was referred to the joint committee appointed on the subject of reporting upon the duration of this session :

H. R. No. 460. *Resolved by the House, the Senate concur-*

ring, That this General Assembly shall adjourn on Saturday, January 27th, at 12 M., *sine die*.

Mr. DeLemos offered the following resolution, which was lost :

Resolved, That 500 copies of the annual message of the Governor be printed for the use of the House.

Mr. Kirkland presented petition of citizens of Bangor, Blount county, Alabama, praying for the repeal of the prohibitory liquor law as to that place ;

Which was referred to the Committee on Local Legislation.

Mr. Manasco, of Winston, presented petition of Silas Ponder asking for the privilege of distilling and selling spirituous liquors without a license ;

Which was referred to the Committee on Ways and Means.

Mr. Rice presented petition of citizens of Montgomery praying for the repeal of the act to extend to the fire companies of Montgomery the benefit of the provisions of an act to raise a fund for the benefit of the fire companies in the city of Mobile, approved March 1st, 1870 ;

Which was referred to the Judiciary Committee.

Mr. Townsend moved to recall from the Senate the bill—

H. R. No. 182. To establish a surrogate court for the county of Wilcox ;

With the view of moving to reconsider the vote by which the bill passed on yesterday.

Mr. Brown moved to lay the motion on the table. Lost—yeas 46, nays 51.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinsty, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Titcomb, Wall and Welch—46.

Nays—Messrs. Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gilmer, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Hernon, Hobson, Holloway, Hudson, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McMath, Rice, Ross, Shields,

Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Weatherford and White—51.

The question being then put upon the motion of Mr. Townsend a division was called for. The count showed that a majority had voted for the motion.

The chair ruled that as the bill had been ordered to be sent forthwith to the Senate on yesterday, by a vote of the House, it would require the unanimous consent of the House to order its recall from the Senate.

Mr. McMath appealed from the decision of the chair.

The House refused to sustain the ruling of the chair—yeas 46, nays 49.

Yeas—Messrs. Allen, Baker, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Titcomb, Wall, Weatherford and Welch—46.

Nays—Messrs. Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gilmer, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Hernon, Hobson, Holloway, Hudson, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McMath, Rice, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, White—49.

The Speaker announced that it was the decision of the House that the motion of Mr. Townsend had been carried.

REPORTS FROM STANDING COMMITTEES.

Mr. Hubbard, from the Committee on Privileges and Elections, redorted favorably to the bill—

H. R. No. 295. To amend section 34 of an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44, and 88 of an act to regulate elections in the State of Alabama, approved March 3, 1875, which said amending act was approved March 6, 1876.

Pending its consideration the following message from the Senate was received :

SENATE CHAMBER, January 17th, 1877.

Mr. Speaker :

The Senate has originated and passed the following bill, and ordered the same forthwith to the House without engrossing—

s. No 274. To add the counties of Cherokee and Etowah to the Northern Chancery Division and fix the time for holding the courts therein.

And returns herewith according to the request of the House, the House bill—

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

The Senate has amended as therein shown and passed the House bill—

H. R. No. 35. To provide more effectually for working the public roads.

J. M. CARMICHAEL,
Secretary.

Mr. Townsend moved to reconsider the vote by which the House passed on yesterday the bill—

H. R. No. 182. To establish a surrogate court for the county of Wilcox.

Mr. Brown raised the point of order that the motion came too late, as under the rules of the House the motion had to be made within one hour after the reading of the journal this morning.

The chair decided that the point of order was not well taken, as the gentleman (Mr. Townsend) in making the motion to recall the bill from the Senate had stated that he did so for the purpose of moving a reconsideration. .

Mr. Brown appealed from the decision of the chair.

The decision of the chair was sustained---Yeas 59, nays 35.

Yeas---Messrs. Baker, Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Brodnax, Crews, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Foshee, Gere, Gibson, Gilchrist, Gilmer, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hudson, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDavid, McDonald, McFarlane, McMath, Ramsey, Rice, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Weatherford, White---59.

Nays—Messrs. Beard, Bishop, Booker, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Fletcher, Forwood, George, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McKinsty, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Saunders, Stevens, of Coffee, Titcomb, Wall, Welch---35.

The motion to reconsider was then agreed to---yeas 51, nays 46.

Yeas---Messrs. Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gilmer, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Hernon, Hobson, Holloway, Hudson, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McEach, Rice, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Weatherford, White---51.

Nays---Messrs. Speaker, Allen, Baker, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinsty, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Titcomb, Wall, Welch---46.

Mr. Manasco, of Walker, moved that the further consideration of the bill be indefinitely postponed---Lost.

Mr. Ramsey moved to lay the bill on the table---Lost.

And the question recurring on the passage of the bill, it was lost---yeas 46, nays 51.

Yeas---Messrs. Speaker, Allen, Beard, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham of Monroe, Crews, Crump, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinsty, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Wall, Welch---46.

Nays---Messrs. Baker, Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Cashin, Darden, Denman, Denson, DeLemos, Dillon, Foshee, Gere, Gibson, Gilmer,

Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hudson, Jack, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McDonald, McFarlane, McMath, Rice, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, Weatherford, White—51.

On motion of Mr. Hubbard, the bill (H. R. 295) was made the special order for 12 m. to-morrow.

The House next proceeded to the consideration of the special order for the hour of 11 to-day, viz: the report of the majority of the Committee on Education to the bill---

H. R. No. 52. To organize and regulate a system of public instruction for the State of Alabama.

Mr. Holloway submitted the following minority report :

Mr. Speaker :

We, the undersigned minority of the Committee on Education, beg leave to submit this our minority report, and offer a substitute for the bill reported by the majority of said committee.

We do this, not for the purpose of disregarding or disparaging the true merits of the bill so ably and ingeniously drawn, but believing that the substitute we offer conforms with the requirements of the Constitution, and meets the actual wants of our people, we earnestly ask its consideration by the Assembly.

Respectfully submitted.

A. G. HOLLOWAY.

S. J. DOSTER.

J. W. MCADORY.

J. D. HUDSON.

Mr. Harrington moved that the further consideration of the subject before the House, viz: the majority and minority reports upon the educational bill---(H. R. No. 52) be postponed, and that 150 copies of the substitute reported by the minority of the committee, be printed, the same to be considered at the hour of 11 to-morrow, under the subsisting order.

The motion was agreed to.

It was also ordered that the Joint Resolution---

H. R. No. 175. Suspending section 6 of article 15 of the Constitution for a limited time---
be postponed and considered in connection with the educational bill.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 17th, 1877.

Mr. Speaker :

The Senate has originated and passed the following bill :

s. No. 257. To refund to E. J. and Benjamin Fitzpatrick certain taxes collected twice by the tax collector of Montgomery county.

J. M. CARMICHAEL,
Secretary.

The Senate bill, just received, (s. 257) was read once and ordered to a second reading on to-morrow---

REPORTS FROM STANDING COMMITTEES RESUMED.

Mr. Hubbard, from the Committee on Privileges and Elections, reported favorably to the bill---

H. R. No. 371. To provide for the election of officers in the town of Orion.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 78, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Denman, Denson, DeLemos, Dillon, Fletcher, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Usery, Wall, Welch, White—78.

Also—

From same committee reported favorably to the Senate bill.

s. No. 75. To amend section 95, of an act to regulate elections in the State of Alabama, approved March 3rd, 1875.

The bill was ordered to a third reading forthwith.

Read the third time and passed.

Yeas 70, nays 4.

Yeas—Messrs. Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, and White---70.

Nays---Messrs. Booth, Blevins, Cashin, and Gilmer---4.

Also—

From same committee reported favorably to the Senate bill.

s. No. 124. To amend sections 44, and 45, of an act, to regulate elections in the State of Alabama, approved March 3d, 1875.

The bill was ordered to a third reading forthwith.

Read the third time and passed.

Yeas 70, nay 1.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Denman, DeLemos, Dillon, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Jack, Jolly, Jones, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Welch and White---70.

Nay Mr Blevins---1.

Also—

From same committee, reported favorably to the Senate bill.

H. R. No. 74. To amend ssection 1, of an act approved March 6th 1876, entitled an act to amend sections 1, 2, 3,

4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44, and 88, of an act to regulate elections in the State of Alabama, approved March 3d, 1875.

Mr. Booth moved to amend by striking out "twenty thousand" in line 14, section 1, and inserting "five thousand."

The amendment was adopted.

Mr. Harrington moved to further postpone the further consideration of the bill until Saturday 12 M., and make it the special order for that hour.

Lost.

The bill was then ordered to a third reading forthwith.

Mr. Stevens of Coffee moved to reconsider the vote ordering the bill to a third reading.

Mr. Rice moved to lay the motion on the table.

Lost.

The motion was agreed to.

On motion of Mr. Stevens the vote on adopting the amendment of Mr. Booth was reconsidered, and the bill with amendment recommitted.

By leave, Mr. Brown offered the following Joint Resolution, which was adopted.

H. R. No. 461. *Resolved by the House, the Senate concurring*, That a Joint Committee, to consist of the Judiciary Committee of both houses, be raised for the purpose of taking into consideration the subject of regulating property exempt from sale, under execution, &c., and that all bills now in the hands of the committee be referred to the Joint Committee raised under this resolution.

On motion of Mr. Speake the House adjourned until tomorrow morning, 9½ o'clock.

THIRTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,

Thursday, January 18, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins,

Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---97.

Journal of yesterday read and approved.

The bill—

H. R. No. 441. To authorize and require the Board of Revenue of Montgomery county, to discharge the duties and exercise the authority of the court of county commissioners of said county;

Was read the second time.

Mr. McWhorter, moved to refer to a special committee.

Mr. Cashin moved to refer to the Judiciary Committee.

The latter motion being first put was agreed to.

The bills—

H. R. No. 442. For the relief of general administrators;

H. R. No. 447. To authorize executors and administrators to defray, out of the assets of estates in their hands, undistributed, the necessary and reasonable expenses of the maintenance and education of minors entitled to distribution, in such estates who have no guardian;

H. R. No. 453. To amend an act relating to sheriff's sales, in Sumter county, approved January 1, 1840;

H. R. No. 457. To authorize executors and administrators to purchase land when sold to pay the purchase money;

And the Senate bills—

s. No. 175. To provide for the prosecution of causes in the county courts of this State;

s. No. 161. To amend section 3945 of the Revised Code, with relation to the jurisdiction of offenses committed on or near county boundaries;

s. No. 79. For the protection of the sureties on the bonds of executors and administrators;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 454. For the relief of Chas. Martin and E. Clark, composing the firm of Martin & Clark, in Calhoun county;

Was read the second time and referred to the Committee on Finance.

The bills—

H. R. No. 452. For the relief of L. M. Woffud, for bringing prisoners from Mississippi;

H. R. No. 455. To reduce the number of grand and petit jurors in Geneva county;

H. R. No. 456. To prescribe additional duties for the treasurer of Geneva county;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 459. To provide for the payment, out of the general fund of Montgomery county, of the fees due Robert Parker, for services performed by him as coroner of said county;

And the Senate bill—

s. No. 257. To refund E. J. and Benjamin Fitzpatrick, certain taxes collected twice by the tax collector or Montgomery county;

Were severally read the second time and referred to the Committee on Accounts and Claims.

The bills—

H. R. No. 444. To refund certain license tax therein specified.

H. R. No. 451. To make transferable, license for the retailing of liquors.

H. R. No. 458. To amend section 13 chapter 8 of an act to establish a revenue code for the State of Alabama, approved March 6, 1876;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills—

H. R. No. 445. To prevent intrusion or trespass on the lands of another by hunters and others.

H. R. No. 449. To prevent stock running at large;

Were severally read the second time and referred to the Committee on Agriculture and Commerce.

The bills—

H. R. No. 443. To regulate the fine and forfeiture funds of the several counties of the State.

H. R. No. 450. To repeal an act to require registers in chancery and clerks of the circuit, and other courts of civil or chancery jurisdiction to record certain papers, etc., approved March 6th, 1876, so far as the same applies to Pike county;

Was read the second time and referred to the Committee on Fees and Salaries.

The bills—

H. R. No. 446. To amend so as to define more clearly the meaning of an act approved December 17, 1873, entitled an act to constitute the purchasers of any railroad hereafter sold, under authority of any law of this State, a body, corporate and politic.

H. R. No. 448. To incorporate the Fowl River Improvement and Navigation Company;

Were severally read the second time and referred to the Committee on Corporations.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 18, 1877.

Mr. Speaker :

The Senate has passed the House bill.

H. R. No. 188. To repeal all laws authorizing the collection of a special tax for the purpose of building bridges, so far as the same relate to the county of Pike;

And has originated and passed bills as follows:

s. No. 242. To authorize redemption of real estate sold for taxes, and purchased by or in the name of the State.

s. No. 249. To prohibit the sale or giving away of spirituous liquors within four miles of Rocky Mount Methodist church in Crenshaw county.

s. No. 184. To pay L. R. Davis for articles furnished the Senate chamber;

And has amended, as therein shown, and passed the House bill.

H. R. No. 342. To authorize the purchasers of any rail-

road hereafter sold in the State of Alabama under authority of any law, or under proceeding, judicial or otherwise, authorized by law, to constitute themselves into a body politic and corporate, and has ordered the same forthwith to the House.

J. M. CARMICHAEL,
Secretary.

SENATE MESSAGES.

The Senate bills---

s. No. 274. To add the counties of Cherokee and Etowah to the northern chancery division, and fix the time of holding the courts therein.

s. No. 242. To authorize redemption of real estate, sold for taxes and purchased by or in the name of the State.

s. No. 184. To pay L. R. Davis for articles furnished the Senate chamber.

s. No. 249. To prohibit the sale or giving away of spirituous liquors, within four miles of Rocky Mount Methodist Church, in Crenshaw county;

Were severally read once and ordered to a second reading on to-morrow.

The House concurred in the amendments of the Senate to the bill---

H. R. No. 342. To authorize the purchasers of any railroad hereafter sold in the State of Alabama, under authority of any law, or under any proceedings Judicial, or otherwise authorized by law, to constitute themselves into a body politic and corporate.

Yeas---78, nays 0.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Gilchrist, Goldthwaite, Gullet, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, Ramsey, Rice, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, Wall, Welch and White---78.

The House also concurred in the amendment of the Senate to the bill---

H. R. No. 35. To provide more effectually for working the public roads.

Yeas 91, nays 0.

Yeas---Messrs. Speakér, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Rice, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---91.

Mr. Rice moved to reconsider the vote concurring in the amendments and to lay that motion on the table.

The latter motion was agreed to.

Mr. Harrington, from the Committee on Finance, returned to the House the bill---

H. R. No. 271. To amend section 4338 of the Revised Code;

And asked that it be referred to the Judiciary Committee.

It was so referred.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Wall---

H. R. No. 462. To amend section 3932 of the Revised Code.

By Mr. White (with petition and evidence of publication of notice---)

H. R. No. 463. For the relief of William A Stewart, of Calhoun county.

By Mr. Brodnax, (with petition)---

H. R. No. 464. To change the boundary line between the counties of Pike and Crenshaw.

By Mr. Baxter, (with petition and evidence of publication of notice—)

H. R. No. 465. To prevent camp-hunting in DeKalb county.

By Mr. Kirkland---

H. R. No. 466. To pay sheriffs for bringing prisoners from other States into Alabama upon requisition of the Governor.

By Mr. Betts---

H. R. No. 467. To amend sections 2961 and 2962, and to repeal section 2923 of the Revised Code.

By Mr. Cunningham, of Monroe---

H. R. No. 468. To repeal an act to compensate jurors and witnesses in Monroe county.

By Mr. McMath---

H. R. No. 469. To form a new county to be called the county of Chillatchee.

By Mr. Gere---

H. R. No. 470. To regulate the letting of contracts for public works in the counties in this State.

By Mr. Glennon---

H. R. No. 471. To amend section 4341 of the Revised Code.

By Mr. McKleroy---

H. R. No. 472. To abolish the court of county commissioners of Wilcox county.

By Mr. Brown---

H. R. No. 473. To provide for the collection of taxes on and redemption of lands sold for taxes.

By Mr. Betts---

H. R. No. 474. To amend section 1, chapter 9, of the Revenue Code, approved March 6, 1876.

Also---

H. R. No. 475. To amend subdivision 4, section 5, chapter 3, of the Revenue Code, approved March 6, 1876.

Which bills were severally read once and ordered to a second reading on to-morrow.

H. R. No. 476. Mr. DeLemos offered Joint Resolution, pronouncing as slanderous and false the charges that the August and November, 1876, elections were not fair and legal.

Which was read and referred to the Committee on Federal Relations.

Mr. Grove offered the following resolution, which was adopted :

Resolved, That the Committee on Ways and Means be instructed to inquire into the practicability of retiring all funding obligations, known as State money, now in circulation, and that said committee report by bill or otherwise at its earliest convenience.

Mr. McKleroy presented petition of merchants and citizens of Montgomery, praying for the repeal of subdivision 8, section 4, chapter 3, of the Revenue Law, which enumerates as subjects of taxation "money loaned and solvent credits, &c."

Which was referred to the Committee on Ways and Means.

REPORTS FROM STANDING COMMITTEES.

Mr. Hubbard, from the Committee on Privileges and Elections, reported favorably to the bill—

H. R. No. 103. To amend section 1 of an act, approved 27th January, 1876, entitled an act to amend section 43 of an act to regulate elections in the State of Alabama, approved 3d March, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 71, nays 10.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kennedy, Kirkland, Mayberry, Muldon, McDavid, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---71.

Nays—Messrs. Brown, Jolly, Kelly, Lewis, Manasco, of Walker, Manasco, of Winston, McAdory, McFarlane, Snoddy, Stephens, of Perry---10.

Mr. Hubbard, from same committee, reported adversely to the bill---

H. R. No. 66. To repeal section 34 of an act to amend sections 1, 2, 3, &c., of an act to regulate elections in the State, approved 3d March, 1875.

Mr. Stephens, of Perry, moved to lay the report on the table—Lost.

And the report was concurred in—yeas 78, nays 15.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—78.

Nays—Messrs. Baldwin, Booth, Blevins, Cashin, DeLemos, Gilmer, Harris, Johnston, Lewis, Mayberry, Manasco, of Winston, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry—15.

Also, from some committee, reported adversely to the bill—

H. R. No. 233. To amend section 34 of the act approved 3d March, 1876, amending certain sections of the election law.

Mr. Rice moved to lay the report on the table—Lost.

On motion of Mr. Jolly the bill and the report were laid on the table.

Also, from same committee, reported adversely to the bill—

H. R. No. 94. To repeal an act to amend section 23 of an act to regulate elections in this State.

Mr. Jolly moved to lay the bill and the report on the table.

Mr. Rice called for a division of the question.

The question being first put on tabling the report, it was lost.

And the vote being then taken on laying the bill and the report on the table—carried.

Mr. Stevens, of Coffee, from the Committee on Federal Relations, reported favorably to the joint resolution and memorial—

H. R. No. 440. To the Congress of the United States, asking a donation of the public lands in the State, for the use of the public schools;

Which was read and adopted.

On motion of Mr. Hubbard, the special order for 12 to-day, viz: (House bill No. 295,) was postponed and made the special order for 12 to-morrow.

Mr. Holloway, from the Committee on Counties and county Boundaries, reported favorably to the bill—

H. R. No. 162. To regulate and define the line between Dekalb and Marshall.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 83, nays 0.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—83.

Also, from same committee, favorably to Senate bill—

s. No. 108. To make I. N. Chandler, liner, between Marshall and Etowah counties, George W. Garmany, liner, between Cherokee and Etowah counties, and Edwin Mayo, liner, between St. Clair and Etowah counties, citizens of Etowah county.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 76, nays 0.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of

Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—76.

Also, from same committee, adversely to the bill—

H. R. No. 37. To change the boundary line between the counties of Monroe and Clarke.

Which was concurred in.

Also, from same committee, favorably to the bill—

H. R. No. 363. To change the boundary line between the counties of Bullock and Montgomery.

The bill was ordered to a third reading, read the third time and passed—yeas 86, nays 1.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beers, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rice, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---86.

Nay---Mr. Betts---1.

Mr. Jackson, from the Committee on Public Roads and Highways, reported favorably to the bill—

H. R. No. 244. For the relief of the Troy Light Guards.

The bill was ordered to a third reading, read the third time and passed—yeas 73, nays 6.

Yeas--Messrs. Allen, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald,

McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, and White---73.

Nays—Messrs. Booth, Cashin, Denman, Gibson, Herndon and Welch—6.

Mr. Manasco, of Walker, from the Committee on Military, reported a substitute for the bill—

H. R. No. 163. For the more efficient organization of the volunteer militia of Alabama.

Mr. Lewis moved to amend by adding the following ;

“Provided, That the said militia organization under this act shall not discriminate against any citizen of this State who may represent any different race or political party.”

Which, on motion of Mr. Manasco, of Walker, was laid on the table.

Mr. McKleroy moved to amend so as to allow the county of Barbour the same number of companies as Madison county.

The amendment was adopted.

Mr. Stephens, of Perry, moved to lay the substitute on the table.

Lost.

The substitute was then adopted, the bill ordered to a third reading, read the third time and passed—yeas 75, nays 9.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gere, Gibson, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---75.

Nays—Messrs. Baldwin, Booth, Blevins, Gilmer, Johnston, Lewis, Snoddy, Stevens, of Dallas, Stephens, of Perry—9.

The bill was ordered to be sent forthwith to the Senate without engrossment.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after said bills had been publicly read by their titles, signed said bills---

H. R. No. 188. To repeal all laws authorizing the collection of a special tax for the purpose of building bridges so far as the same relates to the county of Pike.

H. R. No. 35. To provide more effectually for working the public roads.

H. R. No. 342. To authorize the purchasers of any railroad hereafter sold in the State of Alabama, under authority of any law or under any proceeding judicial or otherwise, authorized by law, to constitute themselves into a body politic and corporate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 18th, 1877.

Mr. Speaker :

The Senate has originated and passed the following bills :

s. No. 252. To amend section sixty-seven of the act entitled an act to establish a new charter for the city of Selma, approved March 8th, 1875.

s. No. 71. To regulate the shipment of freight and the rates thereof on railroads.

J. M. CARMICHAEL.
Secretary.

REPORTS OF COMMITTEES RESUMED.

Mr. Beers, from the Committee on Appropriations, reported favorably to the bill—

H. R. No. 119. To carry into effect the provisions of an act entitled an act for the relief of maimed soldiers, approved March 8th, 1876.

The bill was ordered to a third reading, read the third time and passed---yeas 76, nays 2.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cuning-

ham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Mott, McAdory, McDonald, McFarlane, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford Welch and White—76.

Nays—Messrs. Lewis and Stephens, of Perry—2.

Also from same committee, favorably to the bill.

H. R. No. 331. To amend section 1 of an act for the relief of maimed soldiers, approved March 8, 1876.

Mr. Glennon moved to amend by inserting in lieu of the word "*limb*," wherever it occurs in the bill, the words "artificial legs and arms."

The amendment was lost.

Mr. Cunningham of Lauderdale, moved to amend by adding: "provided that persons who apply for relief under this act shall have been *bona fide* residents of this State twelve months preceding the making of the application."

On motion of Mr. Kennedy the further consideration of the bill was postponed and made the special order for tomorrow 1 P. M.

Mr. Cunningham, on Public Printing, reported that as the Senate had ordered 4000 copies of the report of the State Geologist to be printed the committee deemed this sufficient and recommended that no more be printed.

The report was concurred in.

By leave Mr. Cunningham of Lauderdale, offered the following resolution, which on motion of Mr. Griffin was laid on the table:

Resolved, That when this House adjourns, it meet again at 7½ o'clock P. M., and hold an evening session for the purpose of letting the various committees have an opportunity to report.

Mr. Gere, from the Committee on Agriculture and Commerce, reported a substitute for the bill.

H. R. No. 85. For the protection of the timber interests of the State of Alabama.

The substitute entitled an act to promote and facilitate the timber trade of the State of Alabama.

The substitute was adopted, the bill ordered to a third reading, read the third time and passed.

Yeas 87, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—87.

Nays—Messrs. Lewis, Snoddy, Stephens, of Perry—3.

Also from same committee favorably, with amendments to the bill—

H. R. No. 179. To prevent the cutting, falling or placing timber in any river or its tributary in this State.

Amend 1st section by way of a substitute---

Amend 2nd section by striking out the words "less than ten nor---"

The amendments were adopted, the bill ordered to a third reading, read the third time and passed.

Yeas 51, nays 37---

Yeas—Messrs. Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Hubbard, Hobson, Hudson, Jack, Jackson, Kirkland, McDavid, McKinsty, McMath, McWhorter, Prowell, Saunders, Smith, Speake, Taylor, Townsend, Ussery, Wall and White--51.

Nays—Messrs. Speaker, Baldwin, Beard, Booth, Blevins, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, DeLemos, Gilmer, Harris, Harrington, Herndon, Hollis, Holloway, Jolly, Jones, Johnston, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKleroy, Rodgers,

Ross, Snoddy, Stevens, of Dallas, Stephens, of Perry, Weatherford and Welch---37.

Mr. Herndon submitted the following report :

REPORT OF THE JOINT COMMITTEE TO EXAMINE THE CODE.

The committee to which was referred the work executed and prepared as a code of laws by Wade Keys and Fern. M. Wood, under the act of the General Assembly, approved on the 8th day of March, 1876, entitled an act to provide for the revision, digesting and promulgating of the Public Statutes of the State of a general nature, have had the same under consideration, and respectfully submit the following report :

Your committee in conjunction with the commissioners, Messrs. Keyes and Wood, have undertaken to examine the work section by section, and to compare the same with the sections of the present code and with the subsequent statutes of the State.

In the short time within which the labors of the committee have been necessarily confined, your committee made such examination as by constant and careful attention it has been able to make.

During the examination it was found that changes of phraseology and transpositions of sections had been made by the commissioners, which met the approval of the entire committee.

We have in a work of such extent, found some occasion to recommend changes in the work as submitted to us, but in every instance these changes have been made with the approval of the commissioners, without deferences of opinion among members of the committee.

We do not deem it necessary to call attention to any of the matters embraced in the work about which there might be differences of opinion except to the fact that section 2877 of the Revised Code is not carried into the new code, for reasons which are given in a foot note and which are familiar to the legal profession.

The committee agreed with the commissioners that the section ought not to be carried into the code as not being a part of the law of the land: the precise question, however, has not been settled by our Supreme Court, and the attention of the General Assembly is therefore called to it.

The plan of the work is in accordance with the requirements of the act authorizing it, to-wit, the act of March

8th, 1876, and the members of the committee agree that great industry, fidelity and skill have been displayed by the commissioners in the execution of the work.

Your committee deem it appropriate to state that a proper printing and publication of the code if adopted becomes a subject of much importance, and in the opinion of the committee the work can be best accomplished by the superintendence of the commissioners who have constructed the system, and your committee recommend with the adoption of the code the continuance of the commissioners for that purpose.

All of which is respectfully submitted.

January 18, 1876.

THOS. LEWIS,
JOHN H. BANKHEAD,
Committee on part of Senate.

THOS. H. HERNDON,
JOHN P. HUBBARD,
W. H. DENSON,
Committee on part of House.

Mr. Fletcher moved that the report be received and lay on the table;

Which was agreed to---

On motion of Mr. Muldon it was ordered that 150 copies of House bill 390 regulating property exempt from sale, etc., be printed---

On motion of Mr. Griffin the House adjourned until tomorrow morning 9½ o'clock.

THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, January 19, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean,

Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glenmon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—96.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Rice until next Tuesday.

BILLS ON SECOND READING.

The bills---

H. R. No. 462. To amend section 3932 of the Revised Code.

H. R. No. 467. To amend sections 2961, 2962, and to repeal section 2963, of Revised Code.

H. R. No. 472. To abolish the court of county commissioners of Wilcox county.

Were severally read the second time, and referred to the Judiciary Committee.

The bill—

H. R. No. 463. For the relief of William A. Stewart of Calhoun county.

Was read the second time and referred to the Committee on Accounts and Claims.

The bills—

H. R. No. 464. To change the boundary line between the counties of Pike and Crenshaw.

H. R. No. 469. To create a new county, to be called the county of Chillatchie.

Were severally read the second time and referred to the Committee on Counties and County Boundaries.

The bill---

H. R. No. 473. To provide for the collection of taxes on, and redemption of lands sold for taxes.

And the Senate bill—

s. 242. To authorize the redemption of real estate sold for taxes, and purchased by, or in the name of the State.

Were severally read the second time and referred to the Joint Committee on the subject of redemption of lands, &c.

The bills---

H. R. No. 471. To amend section 4341 of the Revised Code;

H. R. No. 466. To pay sheriffs for bringing prisoners from other States into Alabama, upon requisition of the Governor.

Were severally read the second time, and referred to the Committee on Fees and Salaries.

The bills---

H. R. No. 465. To prevent camp hunting in DeKalb county.

And the Senate bill---

s. No. 249. To prohibit the sale, or giving away of spirituous liquors, within four miles of Rocky Mount Church, in Crenshaw county.

Were severally read the second time, and referred to the Committee on Local Legislation.

The bills---

H. R. No. 475. To amend subdivision 4, section 5 chapter 3 of the Revenue Code, approved March 6th 1876.

H. R. No. 474. To amend section 1, chapter 9, of the Revenue Code, approved March 6th 1876.

H. R. No. 470. To regulate the letting of contracts for public works in the counties in this State.

H. R. No. 468. To repeal an act to compensate jurors and witnesses in Monroe county.

Were severally read the second time and referred to the Committee on Ways and Means.

The Senate bill---

s. No. 274. To add the counties of Cherokee and Etowah to the Northern Chancery Division, and fix the time for holding the court therein.

Was read the second time and referred to a select Committee of three.

Committee—Messrs. Dean, Dillon and Speake.

The Senate bill---

s. 184. To pay L. R. Davis for articles furnished the Senate Chamber.

Was read the second time and referred to the Committee on Appropriations.

SENATE MESSAGES.

The Senate bills—

s. No. 71. To regulate the shipment of freights and the rates thereof on railroads.

s. No. 252. To amend section sixty seven (67) of the act to establish a new charter for the city of Selma, approved March 8th 1875.

Were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Jolly the regular order of business was suspended for the purpose of hearing reports from standing Committees.

Mr. Gere from the Committee on Agriculture and Commerce reported favorably with amendment to the bill—

H. R. No. 49 To repeal sections 1858, 1859, and 1860 of the Revised Code.

Amend by adding the following:

"To take effect on the 1st day of January, A. D., 1878."

The amendment was adopted.

On motion of Mr. Denson the further consideration of the bill was postponed and made the special order for Monday next, 12 M.

Also from same committee reported adversely to the bill.

H. R. No. 92. To repeal an act, to authorize and regulate the partition of crops among tenants in common, or joint owners therein, &c.

Which was concurred in.

Also adversely to the bill—

H. R. No. 269 To amend subdivision 6, of section 2716, of the Revised Code.

On motion of Mr. Griffin the further consideration of the bill and report were postponed until Tuesday the 30th inst., at 12 M.

Also from same committee reported a substitute for the bills—

H. R. No. 281. To prevent injury to domestic animals;
And—

H. R. No. 285. To prevent the killing or abuse of stock.

H. R. No. 281. The substitute being entitled an act to prevent the killing, disabling, disfiguring, destroying and

injuring of certain animals.

Mr. Stevens, of Coffee moved to amend by striking out the word "jennet" and inserting in lieu thereof "jenny"

Adopted.

Mr. Beers moved to reconsider the vote adopting said amendment.

Lost.

Mr. McMath moved to amend by inserting the words "injury to the" before the word "animal" in Section 1.

Adopted.

Mr. Brown moved to amend by inserting the words "or full compensation has been tendered."

Adopted.

Mr. Blevins moved to lay the substitute on the table.

Lost.

Mr. Kennedy moved to amend by adding to section 2 the following: "Provided that in all trials had under this act the owner of the stock injured or killed, shall be a competent witness to testify therein."

Adopted.

Mr. Griffin moved to postpone the further consideration of the subject until Monday next, 12 m.

Lost.

Mr. Baldwin moved to lay the substitute on the table.

Lost.

Mr. Hubbard moved to amend by adding at the end of section 2: "and provided further that no bill of indictment shall be found or prosecution maintained, except upon the written complaint of the owner of the stock or his lawful agent."

Mr. Stevens, of Coffee, moved to lay the amendment on the table.

Lost.

On motion of Mr. Kennedy, the word "written" was stricken out, and as thus amended the amendment was adopted.

Mr. Denson moved to amend as follows:

"Provided, that if the stock named in this act is injured while doing damage to any growing crop enclosed by a lawful fence, and the animal injured has broken over said fence and trespassed upon said crop, the evidence of this fact shall be received upon the trial in extenuation or justification of the commission of such injury as the jury may determine.

The amendment was adopted.

Mr. Blevins moved to strike out the word "satisfactorily."

Lost.

The substitute reported by the committee, as amended was then adopted, the bill ordered to a third reading forthwith, read the third time and passed.

Yeas 86, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Titcomb, Townsend, Ussery, Wall, Welch, and White---86.

SPECIAL ORDER.

The House then proceeded to the consideration of the bill—

H. R. No. 52. To organize and regulate a system of public instruction for the State of Alabama.

COMMITTEE OF THE WHOLE.

On motion of Mr. Griffin, the House went into a Committee of the Whole upon the bill.

After sometime spent in Committee of the Whole, the committee arose and through its chairman, Mr. McMath, reported that the committee had made no progress upon the bill.

The report was received.

By leave the following bills were introduced :

By Mr. Doster—

H. R. No. 477. To adjust and settle the claims outstanding against the educational department of the State prior to the first of October, 1874.

By Mr. Booth—

H. R. No. 478. To amend paragraph 4, section 4 of the Revenue Code, approved March 6th, 1876.

Also—

H. R. No. 479. To amend paragraph 2 of chapter 2, section 1 of the Revenue Code of Alabama, approved March 6th, 1876.

By Mr. Denson---

H. R. No. 480. To provide for the transportation and conveyance of convicts to the penitentiary or places where convicts are worked.

By Mr. Gilchrist---

H. R. No. 481. To authorize and require circuit courts, for criminal business, to be held in Montgomery county on second Monday in February and August.

By Mr. Kirkland---

H. R. No. 482. To regulate the publication of legal notices in this State.

By Mr. Denman, (with evidence of publication of notices, &c.)

H. R. No. 483. For the relief of G. M. Smith, and James Hewitt.

By Mr. Hansburger---

H. R. No. 484. To abolish the office of tax collector of the county of Bibb, and to require the sheriff of said county to collect the taxes.

By Mr. Kelly---

H. R. No. 485. To regulate taxation upon express companies.

By Mr. Hollis---

H. R. No. 486. To change the name of the county of Sanford.

By Mr. Weatherford---

H. R. No. 487. To require the payment to the county superintendent of education of Franklin county, of the balance of the school fund due to said county on the apportionment for the scholastic year 1871-2;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Brown gave notice that on to-morrow he would move to change the rule fixing the time of meeting and adjourning daily, so as to provide for the holding of evening sessions.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 19, 1877.

Mr. Speaker :

The Senate has adopted the House Joint resolution---
H. R. No. 461. Raising committee consisting of Judiciary
Committee of the two Houses to consider subject of ex-
empted property from sale under execution.

J. M. CARMICHAEL,
Secretary.

On motion of Mr. Griffin, the House adjourned until
to-morrow morning 9½ o'clock.

THIRTY-EIGHTH DAY.

Saturday, January 20th, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members an-
swered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter,
Beard, Beers, Betts, Bishop, Booker, Butler, Blev-
ins, Brodnax, Brown, Caldwell, Cunningham, of Lau-
derdale, Cunningham, of Monroe, Crews Crump, Darden,
Dean, Denman, Denson, DeLemos, Dillon, Doster,
Espy, Fletcher, Forwood, Foshee, George, Gere,
Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn,
Gray, Griffin, Grove, Hansburger, Harrington, Hern-
don, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack,
Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland,
Lewis, Mayberry, Manasco, of Walker, Manasco, of Wins-
ton, Mott, Muldon, McAdory, McDavid, McDonald, Mc-
Duffie, McFarlane, McKinstry, McKleroy, McMath, Mc-
Whorter, Prowell, Ramsey, Robinson, Rodgers, Saunders,
Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens,
of Dallas, Stephens, of Perry, Taylor, Titcomb, Town-
send, Ussery, Wall, Weatherford and Welch—94.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Booth for one day.

AMENDING TITLE TO HOUSE BILL 85.

On motion of Mr. Titcomb the title of the bill (H. R. No. 85) to promote and facilitate the timber interest of the State, was amended so as to read:

A bill to be entitled an act to make the obstructing of streams used for floating logs or timber to market a misdemeanor, and to provide a punishment therefor.

BILLS ON SECOND READING.

The bills—

H. R. No. 487. To require the payment to the County Superintendent of Education of Franklin county of the balance of the school fund due to said county on the apportionment for the scholastic year 1871-2.

H. R. No. 477. To adjust and settle the claims outstanding against the Educational Department of the State prior to the first of October, 1874;

Were severally read the second time and referred to the Committee on Education.

The bills—

H. R. No. 478. To amend paragraph 4, section 4, of the Revenue Code, approved March 6th, 1876;

H. R. No. 479. To amend paragraph 2 of chapter 2, section 1, of the Revenue Code, approved March 6, 1876;

H. R. No. 485. To regulate taxation upon express companies;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 480. To provide for the transportation and conveyance of convicts to the penitentiary, or places where convicts are worked—

Was read the second time and referred to the Committee on Penitentiary.

The bills—

To authorize and require circuit courts, for criminal business, to be held in Montgomery county on second Monday in February and August;

H. R. No. 482. To regulate the publication of legal notices in this State;

H. R. No. 484. To abolish the office of tax collector of the county of Bibb, and to require the sheriff of said county to collect the taxes;

Were severally read the second time and referred to the Committee on Judiciary.

The bill—

H. R. No. 486. To change the name of the county of Sanford;

Was read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 483. For the relief of G. M. Smith and James Hewitt;

Was read the second time and referred to the Committee on Accounts and Claims.

The Senate bill—

S. No. 252. To amend section 67 of an act to establish a new charter for the city of Selma, approved March 8, 1875;

Was read the second time and referred to the Committee on Corporations.

The Senate bill—

S. No. 71. To regulate the shipment of freight and the rates thereof on railroads;

Was read the second time and referred to the Committee on Agriculture and Commerce.

On motion of Mr. Brown the regular order of business was suspended for the purpose of hearing reports from standing committees.

Mr. Gere, from the Committee on Agriculture and Commerce, reported favorably to the bill—

H. R. No. 409. To abolish the provisions of an act entitled an act to abolish fencing in certain portions of Montgomery county so far as it relates to stock owned by citizens of Macon county.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 80, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry,

McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---80.

MESSAGE FROM SENATE.

SENATE CHAMBER, January 20, 1877.

Mr. Speaker :

The Senate has passed House bills as follows :

H. R. No. 214. To amend section 3 of an act entitled an act to allow tax collectors to give separate bonds for the collection of ordinary State and county taxes, and all other taxes for special purposes, approved March 4, 1876.

H. R. No. 60. To amend sub-division 14, section 7, chapter 9, of an act entitled an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

And has originated and passed the following bill, and ordered the same to the House forthwith without engrossing.

s. No. 239. For the relief of James T. Holtzclaw, surviving partner of the firm of Judge & Holtzclaw.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, ALA., January 19, 1877.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives :

H. R. No. 342. An act to authorize the purchasers of any railroad hereafter sold in the State of Alabama under authority of any law or under any proceeding, judicial or otherwise, authorized by law, to constitute themselves into a body politic and corporate.

H. R. No. 35. An act to provide more effectually for working the public roads.

H. R. No. 188. To repeal all laws authorizing the collection of a special tax for the purpose of building bridges,

so far as the same relates to the county of Pike.

Respectfully,

IKE H. VINCENT,
Private Secretary.

Mr. Gere, from the Committee on Agriculture and Commerce, reported favorably to the bill—

H. R. No. 395. To prevent intrusion or trespass by hunters on enclosed lands, fields or pastures.

On motion of Mr. Allen the bill was laid on the table.

Mr. Stevens, of Coffee, asked leave for the Committee on Federal Relations to sit apart from the House for half an hour;

Which was granted.

Mr. Gere, from the Committee on Agriculture and Commerce, reported a substitute for the bill—

H. R. No. 194. To create and enforce a lien for blacksmiths in this State.

Mr. Hubbard moved to amend section 6, by adding after the word "recorded" the words: "in the office of the probate judge of the county, where the work is done."

The amendment was adopted.

The substitute as amended was then adopted, the bill ordered to a third reading forthwith, read the third time, and lost—Yeas 28, nays 53.

Yeas—Messrs. Allen, Baxter, Bishop, Booker, Butler, Brodnax, Caldwell, Crump, Dean, Forwood, Gere, Gibson, Goldthwaite, Glenn, Gray, Harrington, Hobson, Holloway, Hubbard, Hudson, Lewis, McDuffie, McKinstry, Stephens, of Perry, Titcomb, Ussery, Wall and Welch—28.

Nays—Messrs. Speaker, Baker, Beard, Beers, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, Gilchrist, Gilmer, Gullett, Hansburger, Herndon, Hollis, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McFarlane, McKleroy, McMath, McWhorter, Prowell, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Townsend, White—53.

Mr. Brown offered the following resolution:

Resolved, That on and after Monday, the 22d inst., this House shall convene, each day, at 9½ o'clock, A. M., adjourn at 1½ o'clock, P. M., re-assemble at 3½ o'clock, P. M., and adjourn at pleasure, provided that the afternoon ses-

sions shall be devoted exclusively to the consideration of reports of committees.

Mr. Stephens, of Perry, moved to lay the resolution on the table.

Lost.

And the resolution was adopted.

By leave, Mr. Beers, from the Committee on Appropriations, reported favorably to the Senate bill—

s. No. 184. To pay L. R. Davis for articles furnished the Senate chamber.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 79, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Rodgers, Prowell, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, White---79.

Mr. Goldthwaite made the following report:

Mr. Speaker:

The committee on Fees and Salaries, to which was referred a resolution to inquire into the propriety of so amending the Revenue laws as to compensate probate judges for making out a book containing the amount of taxes due by each tax payer, have had the same under consideration, and instruct me to report that no legislation thereon, in their opinion, is necessary.

J. R. GOLDTHWAITE,
Chairman.

The report was concurred in.

Mr. Goldthwaite, from the same committee, reported favorably to the bill—

H. R. No. 277. To put in force section 25 of article 5 of the Constitution.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 79, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—79.

SIGNING SENATE BILLS.

The Speaker, in the presence of the House, immediately after the titles thereof had been publicly read, signed the following Senate bills:

s. No. 115. For the relief of Robert S. Carroll, of Perry county, Alabama, and to authorize him to peddle without a license.

s. No. 108. To make I. N. Chandler liner between Marshall and Etowah counties, George W. Garmany liner between Cherokee and Etowah counties, and Edwin Mayo liner between St. Clair and Etowah counties, citizens of Etowah county.

s. No. 75. To amend section 95 of an act entitled an act to regulate elections in the State of Alabama, approved March 3, 1875.

s. No. 124. To amend sections 44 and 45 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

By leave, Mr. Stevens, of Coffee, from the Committee on Federal Relations, reported favorably to the joint resolution—

H. R. No. 476. Pronouncing as slanderous and false the charges that the last August and November elections in Alabama were not fair and legal.

Mr. Harris moved to postpone the further consideration of the resolution until Wednesday next, 12 M., and make

it the special order for that hour.

Lost.

Mr. DeLemos called for the previous question.

The main question was ordered, and the resolution adopted—Yeas 78, nays 11.

Yeas—Messrs. Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullet, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---78.

Nays---Messrs. Baldwin, Blevins, Cashin, Gilmer, Harris, Johnston, Lewis, Mayberry, Snoddy, Stevens, of Dallas, Stephens, of Perry---11.

Mr. Betts moved to suspend the regular order of business to allow him to make a motion to reconsider the vote on yesterday, concurring in the adverse report of the Committee on Agriculture and Commerce to House bill No. 92.

Lost.

Mr. Fletcher gave notice that he would move to reconsider said vote on Monday.

MESSAGE FROM THE GOVERNOR.

By his private secretary, Mr. Vincent.

EXECUTIVE DEPARTMENT,

January 20, 1877.

Gentlemen of the Senate, and of the House of Representatives of Alabama:

I have the honor to transmit for your consideration, the accompanying correspondence between the State Auditor and Attorney General in relation to a question which has arisen from the default of telegraph companies to pay

taxes due the State. Your early attention is called to the subject.

Respectfully,

GEO. S. HOUSTON,
Governor.

SPECIAL ORDER.

The House then proceeded to the consideration of the bill—

H. R. No. 52. To organize and regulate a system of public instruction in the State.

The question pending being the adoption of the substitute reported by the minority of the Committee on Education.

Mr. McKleroy moved that the subject before the House be considered as follows:

That the bill reported by majority of the committee should be considered by sections, and when there is a change made in the substitute from the original bill, then the minority shall present such changes by way of amendments, and have the same considered by the House.

The motion was agreed to.

ARTICLE 1.

Mr. Jackson moved to amend by striking out "eight," in subdivision 4, section 1, line 4, and inserting in lieu thereof "six."

Adopted.

Also moved to amend sub-division 5, same section, line 16, by inserting the words "and fifty" between the words "hundred" and "thousand" so that it would read "one hundred and fifty thousand."

Adopted.

Mr. McKleroy moved to reconsider the vote adopting the last amendment and to lay that motion on the table.

The latter motion was agreed to.

Mr. Brown moved to reconsider the vote adopting the first amendment offered by Mr. Jackson, viz.: to strike out "eight" and insert "six."

Pending the consideration the following message from the Senate was received:

SENATE CHAMBER, January 20th, 1877.

Mr. Speaker :

The Senate has originated and passed bills as follows :

s. No. 49. To make an additional appropriation for the purpose of carrying into effect an act for the relief of maimed soldiers approved March 6th, 1876,

s. No. 224. To repeal section 10 of chapter 6 of an act to establish a Revenue Code for the State of Alabama, approved March 6th, 1876.

s. No. 120. To amend section one of chapter two of an act to establish a Revenue Code for the State of Alabama, approved March 6th, 1876.

s. 246. To amend an act to authorize the commissioners court of Butler county to relieve M. Wimberly, late tax collector of said county.

s. No. 247. To adjust with the banks of issue, chartered by the State, the sums to be paid by them as bonus for the enjoyment of their franchises.

s. No. 250. To amend section 2293 of the Revised Code.

J. M. CARMICHAEL,

Secretary,

On motion of Mr. Fletcher, the question under consideration was suspended for the purpose of taking up—

SENATE MESSAGES.

The Senate bills—

s. No. 239. For the relief of James T. Holtzclaw, surviving partner of the firm of Judge and Holtzclaw ;

And the Senate bills just received, viz.: s. 49, s. 224, s. 120, s. 246, s. 247 and s. 250;

Were severally read once and ordered to a second reading on to-morrow.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and after the titles had been publicly read, signed said bills:

H. R. No. 60. To amend subdivision fourteen, section seven, chapter nine of an act entitled an act to establish a Revenue Code for the State of Alabama, approved March 6th 1876.

H. R. No. 214. To amend section 3 of an act entitled an act to allow tax collectors to give separate bonds for the collection of ordinary State and county taxes, and all other taxes for special purposes, approved March 4, 1876.

By leave the following bills were introduced :

By Mr. Jack—

H. R. No. 488. To regulate the terms of the courts in the first judicial circuit of Alabama.

By Mr. Harrington—

H. R. No. 489. To prescribe and regulate the mode of assessments in this State.

By Mr. McDavid---

H. R. No. 490. To permanently locate the county seat of Baldwin county.

By Mr. Robinson, (with petition and evidence of publication of notice, &c.,)—

H. R. No. 491. To prevent the sale of spirituous, vinous or malt liquors within three miles of Pine Apple, Wilcox county.

By Mr. McDonald, (with evidence of publication of notice, &c.)

H. R. No. 492. To amend an act entitled an act to establish an inferior court of record in the town of Courtland, Alabama.

By Mr. Herndon—

H. R. No. 493. To amend an act to authorize the making of affidavits to claims filed against insolvent estates at any time previous to final settlement, approved March 3, 1870.

Also,

H. R. No. 494. To refund to the Knickerbocker Life Insurance Company, of New York, certain money overpaid by it for taxes.

By Mr. Gilchrist—

H. R. No. 495. To provide for the payment of claims of teachers of free public schools which have occurred prior to October 1, 1874.

By Mr. McWhorter, (with petition and evidence of publication of notice, &c.)—

H. R. No. 496. To repeal an act to prohibit the sale, &c., of liquors within four miles of certain designated churches in the counties of Montgomery and Lowndes, approved December 13, 1873, so far as the same applies to Tabernacle Methodist Church, Montgomery county.

By Mr. Jolly—

H. R. No. 497. To amend section 913 of the Revised Code.

By Mr. Welch---

H. R. No. 498. To authorize the clerks of the circuit courts of this State to hold the office of Register in Chancery;

Which bills were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Betts, the order referring the bill—

H. R. No. 467. To amend sections 2961, 2962, and to repeal section 2963 of the Revised Code,

Was revoked and the bill referred to a select committee of five.

Committee, Messrs. Betts, Hubbard, Harrington, Brown, and Denson.

On motion of Mr. Griffin, the House adjourned until to-morrow morning at 9½ o'clock.

THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, January 22, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKistry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of

Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—87.

Journal of Saturday read and approved.

Leave of absence was granted Messrs. Cunningham, of Monroe, and Crews for one day.

BILLS ON SECOND READING.

H. R. No. 488. To regulate the terms of the circuit courts in the first judicial circuit of Alabama.

H. R. No. 493. To amend an act to authorize the making of affidavits to claims filed, against insolvent estates, at any time previous to final settlement, approved March 3d, 1870.

H. R. No. 492. To amend an act to establish an inferior court of record, in the town of Courtland, Ala.

H. R. No. 497. To amend section 913 of the Revised Code.

H. R. No. 498. To authorize the clerks of the circuit court, of this State, to hold the office of Registers in Chancery.

And the Senate bill—

s. No. 250. To amend section 2293 of the Revised Code.

Were severally read the second time, and referred to the Judiciary Committee.

The bill.

H. R. No. 489. To prescribe and regulate the mode of assessment in this State.

Was read the second time, and referred to the Committee on Finance.

The bills—

H. R. No. 490. To permanently locate the county seat of Baldwin county.

H. R. No. 496. To repeal an act to prohibit the selling, &c., of liquors within four miles of certain designated churches, in the counties of Montgomery and Lowndes, approved December 13, 1873, so far as the same applies to Tabernacle Methodist church, Montgomery county.

H. R. No. 491. To prevent the sale of spirituous, vinous, or malt liquors, within three miles of Pine Apple, Wilcox county.

And the Senate bill—

s. No. 246. To amend an act to authorize the commis-

sioner's court of Butler county to releive M. Wimberly, late tax collector of said county.

Were severally read the second time, and referred to the Committee on Local Legislation.

The bill—

H. R. No. 495. To provide for the payment of claims of teachers of free public schools, which have accrued prior to October 1, 1874.

Was read the second time, and referred to the Committee on Education.

The bill—

H. R. 494. To refund to the Knickerbrocker Life Insurance Company, of New York, certain moneys over paid by it for taxes.

And the Senate bill—

s. No. 120. To amend section 1, of chapter 2, of an act to establish a Revenue Code for the State of Alabama, approved March 6th, 1876.

s. No. 224. To repeal section 10, of chapter 6, of an act to establish a Revenue Code for the State of Alabama, approved March 6th, 1876.

s. No. 247. To adjust with the banks of issue, chartered by the State, the sums to be paid by them as bonus, for the enjoyment of their franchise.

Were severally read the second time, and referred to the Committee on Ways and Means.

The Senate bill—

s. No. 239. For the relief of James T. Holtzclaw, surviving partner of the firm of Judge & Holtzclaw.

Was read the second time and referred to the Committee on Accounts and Claims.

The Senate bill—

s. No. 49. To make an additional appropriation for the purpose of carrying into effect an act for the relief of maimed soldiers, approved March 6th, 1876.

Was read the second time, and referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 22, 1877.

Mr. Speaker :

The Senate has originated and passed the following bills,

and ordered the same forthwith to the House without engrossing:

s. No. 220. To amend the 9th, 12th and 15th sections of an act to incorporate the city of Greenville, approved March 9, 1871.

s. No. 284. To amend section 1 of an act entitled an act to amend the charter of the city of Montgomery and the various laws heretofore passed amending the said charter, approved March 3, 1870.

And has passed House bills as follows:

H. R. No. 234. To regulate the pay of the county commissioners of Colbert county.

H. R. No. 170. To authorize the people of Franklin county to vote on the question of removing the county seat of said county, and to permanently locate the same.

H. R. No. 201. To incorporate the Marengo county Grange.

H. R. 334. To amend section 17 of the charter of the city of Mobile, approved February 2, 1866.

H. R. No. 304. To amend an act entitled an act to fix the term of office of the aldermen of the city of Mobile, and to provide for the filling of vacancies therein.

H. R. No. 154. To amend an act to authorize the Commissioner's court of Russell county to appoint a Board of Finance and to issue the bonds of said county for payment of the indebtedness thereof, approved March 17th, 1875.

H. R. No. 51. To repeal an act entitled an act to prevent woods burning in Washington county, approved February 10, 1875.

And has amended as therein shown, and passed the House bill.

H. R. No. 150. To prohibit the taking of fish from artificial ponds or lakes belonging to other persons, and to provide a punishment for any violation of the same.

J. M. CARMICHAEL,
Secretary.

SENATE MESSAGE.

The Senate bills, just received, viz: s. 220, s. 284, were read once and ordered to a second reading on to-morrow.

RECONSIDERATION.

Mr. Betts moved to reconsider the vote by which the

House concurred in the adverse report to the bill.

H. R. No. 92. To repeal an act to authorize and regulate the partition of crops among tenants in common, or joint owners, thereof, &c.

The motion was agreed to.

Mr. Harris moved to recommit the bill.

Lost.

On motion of Mr. Betts the further consideration of the report was postponed and made the special order for 12 m. Friday next.

The House concurred in the amendments of the Senate to the bill.

H. R. No. 150. To prohibit the taking of fish from artificial ponds or lakes belonging to other persons, and to provide a punishment for any violation of the same—yeas 76, nays 3.

Yeas—Messrs. Speaker, Allen, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—76.

Nays—Messrs. Cashin, Gilmer and Johnston—3.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Caldwell—

H. R. No. 499. To amend section 1285 of the Revised Code.

By Mr. Rodgers—

H. R. No. 500. To enforce the lien given upon land to pay for partition fences.

By Mr. Stevens, of Coffee, (with petition and evidence of publication of notice)—

H. R. No. 501. To repeal the act approved March 9, 1876, prohibiting the sale, &c., of spirituous liquors, within

five miles of certain designated places in Montgomery county, so far as applies to Sodda church, in Montgomery county.

By Mr. Jack—

H. R. No. 502. To amend an act, entitled an act to authorize the commissioner's court of Franklin and other counties therein named, to lay off their respective counties into four commissioner's districts.

By Mr. Espy—

H. R. No. 503. To hold a special election in the county of Henry, to ascertain the will of the people as to changing the location of the county site.

By Mr. Jolly—

H. R. No. 504. To amend section 10, chapter 5, of an act to establish a Revenue Code for the State of Alabama.

Also,

H. R. No. 505. To amend section 1615 of the Revised Code.

By Mr. Kennedy, with petitions *pro* and *con*, and evidence of publication of notice, &c.

H. R. No. 506. To abolish the charter of the city of Opelika.

By Mr. Muldon—

H. R. No. 507. To amend section 3492 of the Revised Code.

By Mr. Herndon—

H. R. No. 508. To prevent and punish the exhibition of burglars' tools, instruments, or counterfeit money, plates, or instruments for effecting escape from prison.

By Mr. Herndon—

H. R. No. 509. To regulate contracts and settlements, and to secure medical aid to farm laborers;

By Mr. Jackson (by request)—

H. R. No. 510. To abolish the office of county treasurer of Morgan county, and to provide for the performance of the duties pertaining to the same;

Also, (by request),

H. R. No. 511. To abolish the office of tax collector of the county of Morgan, and to provide for the performance of the duties pertaining to the same;

By Mr. McMath—

H. R. No. 512. To amend section 2, chapter 4, of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

Also,

H. R. No. 513. To amend section 2569 of the Revised Code;

By Mr. Mott—

H. R. No. 514. For the relief of the tax payers of Washington county;

By Mr. McKleroy—

H. R. No. 515. To amend an act to authorize letters testamentary to be issued to persons who are non-residents of this State, approved February 17, 1876;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Taylor presented petition of citizens of Talladega county, in favor of a law taxing dogs;

Which was referred to the Committee on Agriculture and Commerce.

Mr. Forwood presented petition from colored citizens of Clarke county on the subject of petit jurors;

Which was referred to the Committee on the Judiciary.

SPECIAL ORDER.

On motion of Mr. Prowell the special order for 12 M. viz.: the bill---

H. R. No. 49. To repeal sections 1858, 1859 and 1869 of the Revised Code;

Was postponed and made the special order for 12 to-morrow.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 22, 1877.

Mr. Speaker :

The Governor has approved the following bills which originated in the House:

H. R. No. 60. An act to amend sub-division 14, section 7, chapter 9, of an act entitled an act to establish a Revenue Code for the State of Alabama, approved 6th March, 1876.

H. R. No. 214. An act to amend section 3 of an act entitled an act to allow tax collectors to give separate bonds for the collection of ordinary State and county taxes, and

all other taxes for special purposes, approved 4th March, 1876.

Respectfully,

IKE H. VINCENT,
Private Secretary.

EDUCATIONAL BILL.

The hour of 12 o'clock having arrived the House proceeded to the consideration of the bill—

H. R. No. 52. To organize and regulate a system of public instruction, &c.

The question pending being the motion of Mr. Brown to reconsider the vote by which the amendment striking out "eight" and inserting "six" was adopted.

Mr. McKleroy moved to lay the motion on the table.

Agreed to.

Mr. Hubbard moved to amend sub-division 6, section 1, line 22, by striking out "fifty" and inserting "forty-five."

Adopted.

Section 1 as amended was then adopted.

Sections 2 and 3 were adopted.

On motion of Mr. McKleroy section 4 was amended so as to read:

Section 4. Be it further enacted, That each township or other school district, in its corporate capacity, as created by law, may hold real and personal property, and the business of such corporations in relation to public schools and school lands shall be managed by the township or district trustees.

Section 4 as amended was adopted.

ARTICLE II.

Mr. Holloway moved to amend section 1 by striking out the word "free" in line 2.

Pending its consideration the hour of half past one arrived, when the House took a recess until 3½ P. M.

EVENING SESSION.

The House met pursuant to adjournment.

By leave, Mr. Brown offered the following resolution, which was adopted:

Resolved, That the clerk be authorized to employ such additional clerical assistance as may be necessary for the dispatch of the business of the House.

REPORTS FROM COMMITTEES.

Mr. Goldthwaite, from the Committee on Fees and Salaries, reported favorably to the bill---

H. R. No. 25. In relation to the feeding of prisoners in jail---

Mr. Hobson moved to amend by striking out "thirty five cents;"

Which, on motion of Mr. Griffin, was laid on the table.

Mr. Lewis moved to lay the bill on the table.

Lost.

Mr. Prowell moved to recommit the bill to the joint committee upon the reduction of fees and salaries, &c.

Lost.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 66, nays 20.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Speake, Taylor, Ussery, Wall, Welch and White---66.

Nays---Messrs. Baldwin, Blevins, Cashin, George, Gilmer, Harris, Hobson, Johnston, Lewis, Mayberry, Mott, Muldon, McMath, Prowell, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, and Weatherford---20.

Also, from same committee, favorably to the bill---

H. R. No. 191. To repeal an act to increase the *per diem* of the county commissioners of Henry, Barbour, Wilcox, and Washington, so far as it relates to Washington county.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 84, nays 1.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown,

Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---84.

Nay---Mr. Lewis.

Also favorably to the bill---

H. R. No. 328. To amend an act to regulate the payment of all claims against the fine and forfeiture fund of Clarke county, and to make the same receivable for fines due the county, and for the hire of convicts, approved March 19, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 84, nays 1.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---84.

Nay---Mr. Lewis---1.

Also, from same committee, favorably, with amendment, to the bill---

H. R. No. 256. To enable sheriffs, clerks of the circuit, city and county courts of this State to collect their fees in certain cases.

Amend by inserting the words "justices of the peace, constables and State witnesses" after the word "sheriff"

and before the word "of," in 24th line.

Mr. Fletcher moved to amend the amendment by inserting "solicitors" after "State witnesses."

Adopted.

Mr. Ramsey moved to amend the amendment by inserting after "justices of the peace" and "notaries public having the jurisdiction of justices of the peace."

The amendment was adopted, and the amendment as amended was then adopted.

On motion of Mr. Betts, the foregoing words, viz.: "Justices of the peace, and notaries public having jurisdiction of justices of the peace, constables, State's witnesses" were inserted after the word "sheriff," and before the words "and the solicitor," in line 4th, 2d page.

The caption was amended to correspond.

On motion of Mr. Betts, the further consideration of the bill was postponed and made the special order for tomorrow morning 10½ o'clock.

Mr. Goldthwaite, from same committee, reported favorably to the bill—

H. R. No. 367. To require *ex officio* services for which pay is claimed, to be itemized and sworn to.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 78, nays 0.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch and White—78.

Mr. Hansburger asked leave for the members of the joint committee on reduction of fees and salaries, &c., to be absent from the hall for a short time.

Which was granted.

Mr. Goldthwaite, from same committee reported favorably to the bill.

H. R. No. 368. To require the persons interested, to

furnish the revenue stamps, required to be attached with the seal placed on documents and instruments.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 53, nays 16.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gilchrist, Goldthwaite, Gullett, Gray, Griffin, Grove, Harrington, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Kelly, Kennedy, Kirkland, Manasco, of Walker, McDavid, McDuffie, McFarlane, McKleroy, McWhorter, Robinson, Rodgers, Speake, Taylor, Titcomb, Ussery, Weatherford and Welch—53.

Nays—Messrs. Cashin, Gilmer, Glennon, Harris, Herndon, Jolly, Jones, Mayberry, McAdory, McMath, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Townsend—16.

Also favorably to the bill—

H. R. No. 433. To regulate the disposition of money received for costs, in cases of insolvent estates.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cunningham of Lauderdale, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Smith, Snoddy, Speake, Stevens of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Weatherford and Welch—72.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

January 22, 1877.

Gentlemen of the Senate, and of the House of Representatives of Alabama:

I have the honor to transmit herewith a report from the

State Superintendent of Education, in response to enquiries made by me on the 9th inst., showing the amount of school funds in the hands of County Superintendents and the amount of school funds lost.

Respectfully,

GEO. S. HOUSTON,
Governor.

Mr. Goldthwaite, from same committee, reported favorably with amendment to the bill—

H. R. No. 403. To amend an act to require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for the filing the same.

The bill was amended, ordered to a third reading forthwith, read the third time and passed.

Yeas 72, nays 2.

Yeas—Messrs. Allen, Baldwin, Baxter, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Robinson, Rodgers, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford and White---72.

Nays—Messrs. Johnston and Welch—2.

Also from same committee, adversely to the bill—

H. R. No. 212. To amend section 3516 of the Revised Code,

On motion of Mr. Fletcher, the bill was recommitted with instructions to the committee to inquire what is the yearly aggregate amount now received by the clerk of the supreme court from the fees of his office.

Mr. Herndon, from the Judiciary Committee, reported favorably to the bill—

H. R. No. 105. For the punishment of persons convicted of crimes in certain cases.

Mr. McKleroy, moved to amend by striking out the words "one year," in section 1, and inserting "two years."

On motion of Mr. Betts, the further consideration of

the bill and the amendment was postponed and made the special order for Wednesday evening next, 3½ P. M.

Mr. Herndon, from the same committee, reported favorably with amendments to the bill—

H. R. No. 266. To amend an act entitled an act to provide for the impeachment and removal from office of the officers mentioned in section 2 and section 3 of article VII. of the Constitution of Alabama,

Amend as follows: .

In 6th section, 10th line from top of page 6, strike out the words "jury or." Strike out all of the 24th section. Strike out all of the 26th section.

The amendments were severally adopted, the bill ordered to a third reading forthwith, read the third time and passed.

Yeas 78, nays 8.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullet, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McKistry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---78.

Nays---Messrs. Baldwin, Blevins, Cashin, Gilmer, Johnston, Lewis, Stevens, of Dallas, and Stephens, of Perry---8.

On motion of Mr. Harris, the House adjourned until to-morrow morning 9½ o'clock.

FORTIETH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, January 23, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshlee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch—91.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Gere for five days and Mr. McFarland one day.

Mr. Rice asked and obtained leave to record his vote against the passage of the impeachment bill (H. R. No. 266.)

BILLS ON SECOND READING.

The bills—

H. R. No. 499. To amend section 1285 of the Revised Code;

H. R. No. 506. To enforce the lien given upon lands to pay for partition fences;

H. R. No. 509. To regulate contracts and settlements, and to secure medical aid to farm laborers;

Were severally read the second time and referred to the Committee on Agriculture and Commerce.

The bills—

H. R. No. 501. To repeal the act approved March 9, 1876, prohibiting sale, &c., of liquors within five miles of certain

designated places in Montgomery, so far as the same applies to Sodda church, in said county;

H. R. No. 502. To amend an act to authorize the commissioner's court of Franklin and other counties therein named to lay off their respective counties into four commissioner's districts;

H. R. No. 503. To hold a special election in the county of Henry, to ascertain the will of the people as to changing the location of the county site.

H. R. No. 514. For the relief of the tax payers of Washington county;

Were severally read the second time and referred to the Committee on Local Legislation.

The bills—

H. R. No. 504. To amend section 10, chapter 5, of an act to establish a Revenue Code for the State of Alabama;

H. R. No. 512. To amend section 2, chapter 4, of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills—

H. R. No. 505. To amend section 1615 of the Revised Code;

H. R. No. 507. To amend section 3492 of the Revised Code;

H. R. No. 508. To prevent and punish the exhibition of burglars' tools, instruments, or counterfeit money plates, or instruments for effecting escape from prison;

H. R. No. 510. To abolish the office of county treasurer of Morgan county, and provide for the performance of the duties pertaining to the same.

H. R. No. 511. To abolish the office of tax collector of the county of Morgan, and provide for the performance of the duties pertaining to the same;

H. R. No. 513. To amend section 2569 of the Revised code;

H. R. No. 575. To amend the act to authorize letters testamentary to be issued to persons who are non-residents of this State, approved February 17th, 1876;

Were severally read the second time and referred to the Judiciary Committee.

The bill—

H. R. No. 506. To abolish the charter of the city of Opelika;

And the Senate bills—

s. No. 220. To amend the 9th, 12th and 15th sections of an act to incorporate the city of Greenville, approved March 9, 1871;

s. No. 284. To amend section 1 of an act to amend the charter of the city of Montgomery and the various laws heretofore passed amending the said charter, approved March 3d, 1870;

Were severally read the second time and referred to the Committee on Corporations.

EXECUTIVE MESSAGES.

On motion of Mr. McKleroy, the Governor's message transmitting the report of the superintendent of education in answer to certain enquiries made to him by the Governor;

Was referred to the Committee on Education.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced.

By Mr. McKleroy—

H. R. No. 516. To authorize the city of Eufaula to adjust and settle all claims of indebtedness now outstanding against said city.

Also (by request),

H. R. No. 517. To authorize the city council of Eufaula to levy and collect a license tax on all occupations and things upon which said city council is authorized to levy and collect a tax, under section 31 of the charter of said city.

By Mr. Hansburger—

H. R. No. 518. Regulating trials of misdemeanors in Bibb county.

Also,

H. R. No. 519. To authorize the commissioner's court of Bibb county to build a bridge over the Cahaba river, opposite the town of Centreville, to appoint trustees thereof, to issue and sell bonds of the county and to secure said bonds by mortgage.

By Mr. Wall—

H. R. No. 520. To require surviving partners to give

bonds before winding up or continuing partnership business.

By Mr. Butler (with evidence of publication of notice)---

H. R. No. 521. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, in less quantities than forty gallons, within five miles of the courthouse, in the town of Scottsboro, in Jackson county, Alabama, approved March 17, 1873.

By Mr. Beers (by instructions from Joint Committee to Visit Penitentiary)---

H. R. No. 522. To fix the number of the officers of the penitentiary, and their compensation, approved March 15, 1875.

By Mr. Beard (with evidence of publication of notice, &c.)---

H. R. No. 523. To incorporate the Macedonia church, colored, in Pickens county.

By Mr. Mr. Hubbard---

H. R. 524. To require persons sentenced to pay the costs accrued on account of feeding and the expense of conveying to the penitentiary.

By Mr. Ussery---

H. R. No. 525. To fix the time and regulate the terms of holding the circuit court of Randolph county.

Also,

H. R. No. 526. To ratify the action of the commissioner's court of Randolph county, in authorizing the tax collector of said county to receive certain claims in payment of county taxes.

By Mr. Mott (with petition and evidence of publication of notice, &c.)---

H. R. No. 527. For the relief of James M. Mackey, of Washington county;

By Mr. Harrington---

H. R. No. 528. For the safe, speedy and economical transportation of convicts to the penitentiary;

Which bills were severally read once and ordered to a second reading to-morrow.

On motion of Mr. Muldon, the bill---

H. R. No. 416. To amend section 1798 of the Revised Code;

Which was referred to Judiciary Committee, was reported back to the House and referred to Committee on Corporations.

REPORTS FROM STANDING COMMITTEES.

Mr. Speaker :

The Judiciary Committee, to which was referred the House bill No. 249, "to authorize the executors of the last will and testament of Rufus H. Clements, deceased, to sell certain lands in Tuscaloosa at private sale," with instructions to inquire into its constitutionality, have had the same under consideration, and instruct me to report that said bill is not inhibited by the Constitution.

JNO. J. JOLLY,

Chairman, pro. tem.

The report was received and the bill ordered to a third reading, read the third time and passed—Yeas 77, nays 1.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Welch—77.

Nay—Mr. Johnston.

Mr. Jolly, from the same committee, reported a substitute for the bill—

H. R. No. 97. For the relief of druggists.

The substitute was adopted; the bill ordered to a third reading forthwith, read the third time and passed—Yeas 73, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKiustry, McMath,

McWhorter, Rodgers, Shields, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—73.

Also, from same committee, reported a substitute for the bill—

H. R. No. 33. To provide for the appointment and election of county solicitors.

On motion of Mr. McMath, the consideration of the substitute was postponed and made the special order for Friday next, 10½ A. M.

SPECIAL ORDER.

The House next proceeded to the consideration of the special order for 10½ A. M., viz., the bill—

H. R. No. 256. To enable sheriffs, &c., to collect their fees.

Mr. Stevens, of Coffee, asked leave to withdraw the bill;

Which was granted.

REPORTS OF COMMITTEES RESUMED.

Mr. Jolly, from the Judiciary Committee, reported favorably, with amendments to the bill—

H. R. No. 108. To amend section 1827 of the Revised Code, and otherwise regulate rates of interest in this State.

Amend by striking out all in section 2, commencing with the word "and," down to the word "act," in fifth line.

In last line of said section insert "is" in lieu of the word "are."

Messrs. Stevens, of Coffee, Hubbard and Denson presented a minority report adversely to the bill, and recommending that it do not pass.

Mr. Hubbard moved to substitute the minority report for that of the majority.

Mr. Dean called for the previous question (it being the motion to substitute.)

The main question was ordered, and the motion to substitute was agreed to.

On motion of Mr. Hobson, the further consideration of

the report was postponed and made the special order for Thursday next, 10½ A. M.

MESSAGES FROM SENATE.

SENATE CHAMBER, January 23, 1877.

Mr. Speaker :

The Senate has originated and passed the following bills :

s. No. 238. To limit and restrict the commissioner's court of Bullock county in assessing and collecting special taxes.

s. No. 109. To furnish weights and measures to counties where the same are destroyed, and to new counties.

s. No. 234. To fix the time of holding the chancery court in Wilcox county.

s. No. 229. To establish a board of revenue for Autauga county, and to define the powers and duties of said board of revenue.

J. M. CARMICHAEL,
Secretary.

SENATE CHAMBER, January 23, 1877.

Mr. Speaker :

The Senate has originated and adopted the following memorial and joint resolution :

s. No. 347. Memorial to Congress for an appropriation for the improvement of the Alabama river, and joint resolution in regard to memorial.

And has amended, as therein shown, and passed the House bill—

H. R. No. 73. To form the new county of Cullman out of portions of Blount, Winston and Morgan, and to provide for the organization of said county.

And ordered the same forthwith to the House.

J. M. CARMICHAEL,
Secretary.

Mr. Fletcher from the Committee on Enrolled Bills; reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after their titles had been publicly read, signed said bills :

H. R. No. 51. To repeal an act entitled an act to prevent woods burning in Washington county, approved February 10, 1875.

H. R. No. 150. To prohibit the taking of fish from artificial ponds, or lakes or trap belonging to other persons, and to provide a punishment for any violation of the same.

H. R. No. 154. To amend an act to authorize the commissioners' court of Russell county to appoint a board of finance, and to issue the bonds of said county for the payment of the indebtedness thereof, approved March 17, 1875.

H. R. No. 201. To incorporate the Marengo County Grange.

H. R. No. 234. To regulate the pay of the county commissioners of Colbert county.

H. R. No. 304. To amend an act entitled an act to fix the term of office of the aldermen of the city of Mobile, and to provide for filling vacancies therein.

H. R. No. 334. To amend section 17 of the charter of the city of Mobile, approved February 2, 1866.

EDUCATIONAL BILL.

The House next proceeded to the consideration of the bill—

H. R. No. 52. To organize and regulate a system of public instruction, &c.

The question pending being the amendment of Mr. Holloway, viz.: to strike out the word "free" in article 2, section 1.

Pending its consideration :

On motion of Mr. Herndon, the House took a recess until 3½ P. M.

EVENING SESSION.

The House reassembled at 3½ P. M.

The Senate bills—

s. 234. To fix the time of holding the chancery court in Wilcox county.

s. No. 238. To limit and restrict the commissioners' court, of Bullock county, in assessing and collecting special taxes.

s. No. 229. To establish a Board of Revenue for Autauga county, and to define the powers and duties of said Board of Revenue.

s. No. 109. To furnish weights and measures to counties where the same are destroyed, and to new counties;

Were severally read once and ordered to a second reading on to-morrow.

REPORTS FROM COMMITTEES.

Mr. Jolly, from the Judiciary Committee reported favorably to Senate bill—

s. No. 164. To fix the time of holding the circuit court of the county of Henry.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham of Lauderdale, Crump, Darden, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Saunders, Shields, Snoddy, Speake, Taylor, Townsend, Ussery and Weatherford—63.

Also from same committee, favorably to the Senate bill—

s. No. 35. To amend section 3736 of the Revised Code.

Mr. Baldwin moved to lay the bill on the table.

Lost.

Mr. Stephens moved to indefinitely postpone the bill.

Lost.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 72, nays 6.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey,

Robinson, Rodgers, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch—72.

Nays—Messrs. Blevins, Johnston, Lewis, Snoddy, Stephens, of Perry, and Stevens, of Dallas—6.

Also favorably to the bill—

H. R. No. 153. To authorize the continued prosecution and final disposition of a suit in chancery pending in the second district of the Southern Chancery Division, wherein James R. Powell, Urbane L. Jones, and others are complainants, in relation to the swamp and over-flowed lands.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 67, nays 16.

Yeas. Messrs. Allen, Baldwin, Baxter, Beard, Betts, Booker, Butler, Blevins, Brodnax, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Denson, DeLemos, Dillon, Doster, Fletcher, Gibson, Gilchrist, Gilmer, Goldthwaite, Glenn, Glennon, Griffin, Grove, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kirkland, Lewis, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch—67.

Nays—Messrs. Speaker, Baker, Beers, Bishop, Booth, Brown, Cunningham, of Monroe, Dean, Espy, Forwood, Foshee, George, Gullett, Hansburger, Harrington, and Hudson—16.

Also from same committee, favorably, with amendment to the bill—

H. R. No. 220. To regulate the publication of legal advertisements in Alabama.

Amend by inserting the words "not exceeding, before the words, "one dollar," and also the same words before the words, "fifty cents," in section 3.

The amendment was adopted.

On motion of Mr. McKleroy the bill was recommitted.

Mr Jolly from same committee reported adversely to the bill—

H. R. No. 240. To fix and establish the place of holding

the court of chancery of the third district, Northern Chancery Division ;

Which was concurred in.

Also from same committee favorably to the bill---

H. R. No. 352. To regulate the trial of midemeanors in Colbert county.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 78, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKinsty, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, and Welch---78.

Mr. McKleroy, from the same committee reported favorably to the bill.

H. R. No. 192. To establish a court of county revenue for Wilcox county.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 48, nays 31.

Yeas---Messrs. Speaker, Allen, Beard, Betts, Bishop, Booker, Brown, Caldwell, Cunningham, of Monroe, Crump, Denson, Dillon, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hansburger, Herndon, Hollis, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McKinsty, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Stevens, of Coffee, Taylor, Titcomb, Wall and White---48.

Nays—Messrs. Baldwin, Baxter, Beers, Booth, Butler, Blevins, Cashin, Cunningham, of Lauderdale, Darden, Denman, DeLemos, Foshee, Gilmer, Gullett, Glennon, Griffin, Harrington, Holloway, Hudson, Jack, Johnston, Lewis, Mayberry, Smith, Snoddy, Speake, Stevens, of

Dallas, Stephens, of Perry, Townsend, Ussery and Welch---31.

Mr, Herndon, from the same committee reported favorably to the bill.

H. R. No. 314. To repeal an act to repeal section 4031, of the Revised Code, so far as it relates to Coffee and Geneva counties, so far as said act relates to the county of Coffee, and to revive and re-enact said section 4031.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 74, nays 1.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Dean, Denson, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McMath, Prowell, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Townsend, Ussery, Wall, Weatherford, Welch and White---74.

Nay---Mr. Blevins---1.

Also from same committee reported favorably to the bill—

H. R. No. 311. To amend section 3428 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 62, nays 3.

Yeas—Messrs. Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Jack, Jackson, Jones, Kelly, Kirkland, Muldon, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McMath, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Titcomb, Townsend, Ussery, Wall, Weatherford---62.

Nays---Messrs. Hubbard, Hudson, Johnston---3.

Also from same committee, favorably to the bill.

H. R. No. 335. To amend section 2329 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 68, nays 5.

Yeas---Messrs. Allen, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullet, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McMath, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, and Wall---68.

Nays---Messrs. Cashin, Johnston, Lewis, Mayberry, and Stephens, of Perry---5.

Also from same committee, reported a substitute for the bill---

H. R. No. 322. To regulate the notice to be given to drawers, and endorsers, of bills of exchange, and makers and endorsers of promissory notes.

The substitute entitled---.

To regulate the manner in which notice is authorized to be given to drawers and endorsers of bills of exchange, endorsers of promissory notes, or instruments of writing in cities, containing ten thousand inhabitants or more, and in any city, or town, where the United States, free postal delivery is in operation.

The substitute was adopted the bill ordered to a third reading forthwith, read the third time and passed.

Yeas 78, nays 1.

Yeas---Messrs. Speaker, Allen, Baxter, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson,

Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McMath, Prowell, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall and Weatherford—78.

Nay---Mr. Johnston.

On motion of Mr. Blevins the House adjourned until 9½ o'clock to-morrow morning.

FORTY-FIRST DAY.

Wednesday, January 24th, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Hansburger, Harrington, Hernon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—93.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Crews for one day.

BILLS ON SECOND READING.

The bills---

H. R. No. 516. To authorize the city council of Eufaula

to adjust and settle all claims of indebtedness now outstanding against said city;

H. R. No. 521. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous, or malt liquors, in less quantities than forty gallons, within five miles of the court house, in the town of Scottsboro, in Jackson county, Alabama, approved March 17, 1873;

H. R. No. 523. To incorporate the Macedonia church, colored, in Pickens county;

H. R. No. 526. To ratify the action of the commissioner's court of Randolph county, in authorizing the tax collector of said county to receive certain claims in payment of county taxes;

H. R. No. 527. For the relief of James M. Mackey, of Washington county;

And the Senate bill—

s. No. 109. To furnish weights and measures to counties where the same are destroyed and to new counties;

Were severally read the second time and referred to the Committee on Local Legislation.

The bills---

H. R. 520. To require surviving partners to give bond before winding up or continuing partnership business;

H. R. No. 525. To fix the time and regulate the terms of holding the circuit court of Randolph county;

And the Senate bills---

s. No. 234. To fix the time of holding the chancery court in Wilcox county;

s. No. 229. To establish a Board of Revenue for Autauga county, and to define the powers and duties of said Board of Revenue;

Were severally read the second time and referred to the Judiciary Committee.

The bill---

H. R. No. 517. To authorize the city council of Eufaula, to levy and collect a license tax on all occupations and things upon which said city council is authorized to levy and collect a tax under section 31 of the charter of said city;

Was read the second time and referred to the Committee on Ways and Means.

The bills---

H. R. No. 522. To amend an act to fix the number of the officers of the penitentiary and their compensation, approved March 15, 1875;

H. R. No. 524. To require persons sentenced to the penitentiary to pay the costs accrued on account of feeding and the expense of conveying to the penitentiary;

H. R. No. 528. For the safe and economical transportation of convicts to the penitentiary;

Were severally read the second time and referred to the Committee on Penitentiary.

The Senate bill---

s. No. 238. To limit and restrict the commissioner's court of Bullock county, in assessing and collecting special tax;

Was read the second time and referred to the Committee on Finance.

The bills---

H. R. No. 518. Regulating trials for misdemeanors in Bibb county;

H. R. No. 519. To authorize the commissioner's court of Bibb county to build a bridge over the Cahaba river, opposite the town of Centreville, to appoint trustees thereof to issue and sell bonds of the county and to secure said bonds by mortgage;

Were severally read the second time and referred to a select committee of five.

Committee --Messrs. Hansburger, McMath, Kennedy, Denson and Booth.

The House concurred in the Senate amendments to the bill---

H. R. No. 73. To form the new county of Cullman, out of portions of Winston, Blount and Morgan, and to provide for the organization of said county---yeas 79, nays 6.

Yeas---Messrs. Speaker, Allen, Baldwin, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---79,

Nays---Messrs. Bishop, Cashin, Gilmer, Gullett, Manasco, of Winston---6.

s. No. 347. The House also concurred in the Senate memorial and joint resolution to Congress for an appropriation for the improvement of the Alabama river.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Crump—

H. R. No. 529. To authorize the Secretary of State to furnish weights and measures for the county of Cullman.

Also,

H. R. No. 530. To fix the time of holding the circuit court in the county of Cullman, at the fifth judicial circuit;

Also,

H. R. No. 531. To authorize and require the Secretary of State to deliver to the probate judge of Cullman county certain books therein named;

Also,

H. R. No. 532. To change the venue of certain cases to the county of Cullman;

By Mr. McFarlane (with evidence of publication of notice, &c.)—

H. R. No. 533. To amend section 1 of an act for the relief of Hiram Gibson, of Jackson county, approved March 3, 1871;

By Mr. Jolly—

H. R. No. 534. To authorize judges of probate to provide for the keeping of the insane of their counties, who are not admitted as inmates of the State Insane Asylum;

By Mr. Smith—

H. R. No. 535. To amend sub-division 2, section 7 of chapter 9 of the Revenue Code;

By Mr. Herndon—

H. R. No. 536. To define the mode and manner of executing notice to infant parties, in interest, in cases of partition of lands, in the probate courts of this State, and to declare and define what shall be held and considered proper and sufficient execution of notice on infant parties, in interest, in partition cases;

By Mr. Beers—

H. R. No. 537. To refund license tax to butchers;

By Mr. Muldon (with petition and evidence of publication of notice, &c.)—

H. R. No. 538. To authorize Fred. Graves, administrator

of Gaspar I. S. Cavalier, deceased, to redeem lands of said estate sold for taxes by payment of taxes on actual value thereof;

By Mr. Cunningham, of Monroe—

H. R. No. 539. To amend section 4239 of the Revised Code

By Mr. McKinstry (with evidence of publication of notice)—

H. R. No. 540. To authorize Terrel Stringfellow to peddle without license;

By Mr. Hubbard—

H. R. No. 541. Joint resolution to amend the Constitution by striking out section 7 of article 10, known as the waiver clause;

By Mr. Dillon (with evidence of publication of notice)---

H. R. No. 542. To amend an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors within one mile of the courthouse in the town of Ashville, St. Clair county, approved February 1, 1871;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Baker presented petition of citizens of Talladega county praying the General Assembly to levy a tax on dogs;

Which was referred to the Committee on Agriculture and Commerce.

On motion of Mr. Hubbard the bill---

H. R. No. 49. To repeal sections 1858, 1859, 1860 of the Revised Code;

Was made the special order for Friday 12 $\frac{1}{2}$.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 24, 1877.

Mr. Speaker:

The Senate has amended as therein shown, and passed the House bill—

H. R. No. 267. To require emigration agents, plying their vocation in Barbour county, and other counties, therein named, to pay a license tax.

And has adopted House—

H. R. No. 440. Joint resolution and memorial to Congress asking that the public lands in Alabama be granted in aid of public schools.

And House—

H. R. No. 476. Joint resolution pronouncing as slanderous and false the charges that the last August and November elections in Alabama were not fair and legal.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 24, 1877.

Gentlemen of the Senate, and of the House of Representatives of the State of Alabama:

I have the honor to transmit herewith an additional report from the State Superintendent of Education upon the subject of balances in the hands of county superintendents of previous years.

Very respectfully,

GEO. S. HOUSTON,
Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 24, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills:

s. No. 243. For the relief of John Kehoe, a citizen of Tuscaloosa county.

s. No. 319. To fix the time for holding the circuit courts of Montgomery county.

s. No. 236. To require the tax collector of Bullock county to receive in payment of county taxes, registered claims against the general fund of said county.

s. No. 191. To amend section forty-nine of the Revised Code.

s. No. 32. To authorize and empower the mayor and council of the town of Union Springs to levy and collect a license in certain cases.

s. No. 299. To authorize in the sale of the Briarfield Iron Works property of Bibb county, the sale and transfer

of the franchises appertaining to the company heretofore incorporated for the management of said property.

s. No. 298. To abolish the office of county treasurer of Dallas county, and to require the tax collector and other officers of said county to deposit funds belonging to the county in the City National Bank of Selma and the Selma Savings Bank to the credit of the county, and subject to the order of the court of county revenues.

s. No. 280. To repeal an act to repeal section 4031 of the Revised Code, in so far as the same applies to the county of Covington, and to re-enact said original section 4031.

J. M. CARMICHAEL,
Secretary.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their title had been publicly read, signed said bills:

H. R. No. 170. To authorize the people of Franklin county to vote on the question of removing the county seat of said county, and to permanently locate the same.

H. R. No. 73. To form the new county of Cullman out of portions of Blount, Winston and Morgan, and to provide for the organization of said county.

REPORTS FROM STANDING COMMITTEES.

Mr. Betts, from the Committee on Ways and Means, reported favorably, with amendment to the bill—

H. R. No. 300. To amend subdivision 6 of section 4, of chapter 3 of the Revenue Code.

On motion of Mr. Hobson, the bill was laid on the table.

Mr. Betts, from same committee, reported favorably to the bill—

H. R. No. 301. To amend section 9 of chapter 6, of the Revenue Code.

Pending its consideration, the hour of 11 o'clock arrived, when the House proceeded to the consideration of the bill—

H. R. No. 52. To organize and regulate a system of public instruction, &c.

The question pending being the amendment to strike out the word "free," in section 1, line 2, article 2.

Mr. Ramsey called for the previous question.

The main question was ordered by the House, and the amendment adopted—Yeas 51, nays 32.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gray, Griffin, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Kelly, Kirkland, McAdory, McDavid, McFarlane, McKinstry, Prowell, Ramsey, Robinson, Rodgers, Ross, Speake, Ussery, Wall, Weatherford, Welch, White—51.

Nays—Messrs. Speaker, Baldwin, Beers, Blevins, DeLemos, Dillon, Fletcher, Gilmer, Gullett, Grove, Harris, Herndon, Hobson, Jackson, Jones, Johnston, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McDonald, McKleroy, McMath, Rice, Saunders, Smith, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Titcomb—32.

On motion of Mr. Holloway, the word “free” in line 5, subdivision 3, of same section, was stricken out.

Article 2 was then adopted.

ARTICLE III.

Sections 1 and 2 were adopted.

Mr. Holloway moved to strike out the word “free” in line 14, section 3, page 5.

Adopted.

Mr. Holloway moved to strike out all in section 3, commencing with the word “and” in line 49, and ending with the word “paid” in 55th line, on page 6.

Adopted.

Section 3, as amended, was adopted.

Section 4 was adopted.

Mr. Holloway moved to strike out section 5.

Lost.

Mr. Stevens, of Coffee, moved to strike out \$1,500 in 2d and 3d line, section 5, and insert \$1,200.

Which on motion of Mr. Cashin, was laid on the table.

Mr. Ramsey moved to strike out \$1,500 and insert \$1,000.

Mr. Griffin called for a division of the question.

The question of striking out, being first put.

Carried.

On motion of Mr. Blevins, the amendment inserting \$1,000, was laid on the table.

Mr. Jolly moved to insert \$500.

Mr. Brown moved to amend said section 4, by way of substitute, as follows:

Be it further enacted, That the superintendent of education is authorized to employ from time to time, such clerical assistance as may be necessary in the performance of the duties of his office. Provided, that such sum of money as may be necessary, not to exceed five hundred dollars, is hereby appropriated out of the school fund for this purpose.

On motion of Mr. Harris, the substitute was laid on the table.

Pending the consideration of the motion of Mr. Jolly, viz: to insert \$500.

The hour of half past 1 arrived, when on motion of Mr. Grove, the House took a recess until 3½ P. M.

AFTERNOON SESSION.

The House reassembled at the hour of 3½ P. M.

By leave, Mr. Darden offered the following resolution:

Resolved, That two hundred and fifty copies of the report of the Hon. Leroy F. Box to the Governor, as to the status of the school fund, be printed for the use of the House.

Mr. McKleroy moved to refer the resolution to the Committee on Education.

On motion of Mr. Harris, the further consideration of the resolution was indefinitely postponed.

SENATE MESSAGES.

The Senate bills—

s. No. 280. To repeal an act to repeal section 4031 (482) of the Revised Code, in so far as the same applies to the county of Covington, and to re-enact said original section 4031.

s. No. 2. To authorize and empower the mayor and council of the town of Union Springs to levy and collect a license in certain cases.

s. No. 319. To fix the time for holding the circuit courts of Montgomery county.

s. No. 243. For the relief of John Kehoe, a citizen of Tuscaloosa county.

s. No. 236. To require the tax collector of Bullock county to receive in payment of county taxes registered claims against the general fund of said county.

s. No. 191. To amend section 49 of the Revised Code.

s. No. 299. To authorize in the sale of the Brierfield Iron Works property, of Bibb county, the sale and transfer of the franchise appertaining to the company heretofore incorporated for the management of said property.

s. No. 286. To amend section 1 of an act to establish a State Normal School and University for the education of colored teachers and students, approved December 6, 1873, and amended by an act of the school board December 15, 1874.

s. No. 298. To abolish the office of county treasurer of Dallas county, and require the tax collector and other officers of said county to deposit funds belonging to the county in the City National Bank of Selma and the Selma Savings Bank, to the credit of the county and subject to the order of the court of county revenues;

Were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

The House then proceeded to the consideration of the bill—

H. R. No. 105. To provide for the punishment of persons convicted of crimes in certain cases.

The question pending being the amendment of Mr. McKleroy, viz: "To strike out "one year" and insert "two years."

The amendment was adopted.

On motion of Mr. Stevens, of Coffee, the bill was laid on the table.

REPORTS FROM STANDING COMMITTEES.

The House resumed the consideration of the bill—

H. R. No. 301. To amend section 9 of chapter 6, of the Revenue Code.

Mr. Hubbard moved to amend by adding the following: "And provided further, that the tax list shall be sufficient warrant for the levy provided for herein, and shall release

the officer making the levy from any damages by making the levy, and the levy shall be endorsed upon such tax list as in case of execution."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 71, nays 12.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham of Lauderdale, Cunningham of Monroe, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McMath, McWhorter, Prowell, Ramsey, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Townsend, Usery, Wall, Weatherford and Welch---71.

Nays—Messrs. Baldwin, Blevins, Cashin, Gilmer, Johnston, Lewis, Mayberry, McKleroy, Robinson, Snoddy, Stevens, of Dallas, and Stephens, of Perry---12.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill---

H. R. No. 423. To amend section 7, chapter four, (4) of the act to establish a Revenue Code.

The bill was ordered to a third reading forthwith, read the third time and passed.

Yeas 71, nays 5.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Usery, Wall, Weatherford, Welch and White---71.

Nays—Messrs. Baxter, Blevins, Cashin, Gilmer and Johnston,---5.

Also from same committee, reported favorably to the bill---

H. R. No. 388. To amend paragraph 2 of section 5, chapter 3 of the Revenue Code.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 72, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Holloway, Hubbard, Jack, Jolly, Jones, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ross, Saunders, Smith, Snoddy, Speake, Stevens of Coffee, Stephens, of Perry, Taylor, Titcomb, Ussery Wall, Weatherford, Welch and White---72.

Also from same committee, reported a substitute for the bill---

H. R. No. 379. To declare a lien in favor of blacksmiths and wood workmen.

The substitute was adopted.

Mr. DeLemos moved to lay the bill on the table.

Lost.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 63, nays 5.

Yeas---Messrs. Allen, Baldwin, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Denman, Denson, Dillon, Doster, Forwood, Foshee, Gibson, Gilmer, Goldthwaite, Glenn, Glennon, Gray, Griffin, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKleroy, McMath, Prowell, Robinson, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Ussery, Wall and White---63.

Nays---Messrs Baker, Cunningham, of Monroe, DeLemos, Gullett, Mayberry and Titcomb---6.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT
Montgomery, Jan. 24th, 1877.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives :

No. 334. An act to amend section 17 of the charter of the city of Mobile, approved February 2, 1866.

No. 304. An act to amend an act entitled an act to fix the term of office of the aldermen of the city of Mobile, and to provide for filling vacancies therein.

No. 170. An act to authorize the people of Franklin county to vote on the question of removing the county seat of said county, and to permanently locate the same.

No. 234. An act to regulate the pay of the county commissioners of Colbert county.

No. 51. An act to repeal an act to prevent woods burning in Washington county, approved February 10, 1875.

No. 150. An act to prohibit the taking of fish from artificial ponds or lakes or traps belonging to other persons, and to provide a punishment for any violation of the same.

No. 154. An act to amend an act to authorize the commissioners' court of Russell county to appoint a Board of Finance, and to issue the bonds of said county for payment of the indebtedness thereof, approved March 17, 1875.

No. 201. An act to incorporate the Marengo County Grange.

No. 73. An act to form the new county of Cullman, and of portions of Blount, Winston, and Morgan, and to provide for the organization of said county.

Respectfully,

I. H. VINCENT.

Private Secretary.

On motion of Mr. Jolly, the House adjourned until tomorrow morning 9½ o'clock.

FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Monday, January 25, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstrey, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—90.

Journal of yesterday read and approved.

On motion of Mr. McKleroy, the report of the Superintendent of Education, which was referred to the Committee on Education, was returned to the House, and referred to a special committee, consisting of one member from each Congressional District, and at his request, Mr. McKleroy was excused from serving on said committee.

On motion of Mr. Herndon, the Joint Committee on exemption laws, was authorized to have two hundred copies of a substitute—prepared by the committee—for House bill, No. 390, printed.

REPORT FROM SPECIAL COMMITTEE.

Mr. Herndon, from Special Committee, reported favorably with amendment to the bill—

H. R. No. 325. To change the time of meeting of biennial sessions of the General Assembly.

Amend by striking out the words, "first Tuesday after

2d Monday," and inserting "first Wednesday after first Monday."

On motion of Mr. Griffin, the bill was laid on the table.

Mr. Hobson, moved to take from the table and recommit the bill---

H. R. No. 300. To amend subdivision 6, of section 4, of chapter 3 of the Revenue Code.

The motion was agreed to.

Mr. Hansburger, from special committee reported favorably to the bill---

H. R. No. 519. To authorize the commissioners court, of Bibb county, to build a bridge over the Cahaba river, opposite the town of Centerville, to appoint trustees thereof, to issue and sell bonds of the the county, and to secure said bonds by mortgage.

The bill was ordered to a third reading forthwith, read the third time and passed--Yeas 76, nays 0.

Yeas--Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDonald, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titecomb, Ussery, Wall, Welch and White--76.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 25th, 1877.

Mr. Speaker :

The Senate has originated and passed bills and ordered the same to the House forthwith, without engrossing, as follows:

s. No. 199. To regulate the practice of medicine in the State of Alabama.

s. No. 283. To amend section 1, of an act to regulate the election of municipal officers in the city of Montgomery, approved March 1, 1875.

And has amended as therein shown and passed House bill—

H. R. No. 88. To amend section 4397 of the Revised Code.

J. M. CARMICHAEL.

Secretary.

BILLS ON SECOND READING.

The bills---

H. R. No. 530. To fix the time of holding the circuit court, in the county of Cullman, of the Fifth Judicial circuit.

H. R. No. 532. To change the venue of certain cases to the county of Cullman.

H. R. No. 536. To define the mode and means of executing notice to infant parties, in interest, in cases of partition of lands, in the probate courts of this state, and to declare, and define, what shall be held and considered proper execution of notice on infant parties, in interest, in partition cases.

H. R. No. 539. To amend section 4239 of the Revised Code.

And the Senate bill—

s. No. 298. To abolish the office of county treasurer for Dallas county, and to require the tax collector and other officers of said county to deposit funds belonging to the county in the City National Bank of Selma and the Selma Savings Bank, to the credit of the county and subject to order of the court of county revenues.

s. No. 319. To fix the time for holding the circuit court of Montgomery county;

Were severally read the second time and referred to the Judiciary Committee.

The bills---

H. R. No. 535. To amend subdivision 2 of section 7, of chapter 9 of the Revenue Code.

H. R. 537. To refund license tax to butchers.

H. R. No. 538. To authorize Fred. Graves, administrator of Gasper I. S. Cavaliers, deceased, to redeem lands of said estate sold for taxes, by payment of taxes on actual value thereof;

Were severally read the second time and referred to the Committee on Ways and Means.

The bills—

H. R. No. 529. To authorize the Secretary of State to furnish weights and measures for the county of Cullman.

H. R. No. 531. To authorize and require the Secretary of State to deliver to the probate judge for the county of Cullman certain books therein named.

H. R. No. 533. To amend an act for the relief of Hiram Gibson, of Jackson county, approved March 31, 1871.

H. R. No. 540. To authorize Terrel Stringfellow to peddle without a license.

H. R. No. 542. To amend an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors within one mile of the court house, in the town of Ashville, St. Clair county, approved February 1, 1871.

And the Senate bill—

s. No. 243. For the relief of John Kehoe, a citizen of Tuscaloosa county;

Were severally read the second time and referred to the Committee on Local Legislation.

The Senate bill—

s. No. 236. To require the tax collector of Bullock county to receive in payment of taxes registered claims against the general fund of said county;

Was read the second time and referred to the Committee on Finance.

The bill—

H. R. No. 534. To authorize probate judges to provide for the keeping of the insane of their counties who are not admitted as inmates of the State Insane Asylum;

Was read the second time and referred to the Committee on Public Buildings and Institutions.

The bill—

H. R. No. 541. To amend the Constitution by striking out section 7 of article 10, known as the waiver clause;

Was read the second time and referred to the Special Committee on Exemption Laws.

The Senate bill—

s. No. 286. To amend section 1 of an act to establish a State Normal School and University for the education of colored teachers and students, approved December 6, 1873, and amended by an act of the school board December 15, 1874;

Was read the second time and referred to the Committee on Education.

The Senate bill—

s. No. 191. To amend section 49 of the Revised Code;

Was read the second time and referred to the Committee on Fees and Salaries.

The Senate bills—

s. No. 2. To authorize and empower the mayor and council of the town of Union Springs to levy and collect a license in certain cases.

s. No. 299. To authorize in the acts of the Briarfield Iron Works property of Bibb county the sale and transfer of the franchise appertaining to the company heretofore incorporated for the management of said property;

Were severally read the second time and referred to the Committee on Corporations.

The Senate bill—

s. No. 280. To repeal an act to repeal section 4031 of the Revised Code in so far as the same applies to the county of Covington, and revive and re-enact said original section;

Was read the second time.

Mr. Stevens, of Coffee, moved to amend as follows:

Amend by adding to the end of the first section, the following: "And that the act approved February 15, 1875, to repeal said section 4031 of the Revised Code so far as it relates to Coffee and Geneva counties be, and the same is hereby repealed, so far as the said last act applies to Coffee county."

Amend by adding at the end of section 2, the words "and Coffee county."

Amend caption to correspond.

The amendments were severally adopted and the bill was referred to the Judiciary Committee.

SENATE BILLS ON FIRST READING.

The Senate bills—

s. No. 199. To regulate the practice of medicine in the State of Alabama.

s. No. 283. To amend section 1 of an act to regulate the election of municipal officers in the city of Montgomery, approved March 1, 1875;

Were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

The hour of half past 10 having arrived the House pro-

ceeded to the consideration of the special order for this hour, it being the bill—

H. R. No. 108. To amend section 1827, of the Revised Code, and otherwise regulate rates of interest in this State.

The question pending being the adverse report of the minority of the Judiciary Committee.

Mr. Beers moved to postpone the further consideration of the bill and the report until Friday next, 12 o'clock, and make it the special order for that hour.

Lost.

Mr. Manasco, of Walker, moved to lay the bill and the report on the table—

Mr. Rice called for a division of the question.

The vote being first taken on laying the report on the table.

Carried.

And the bill was laid on the table—yeas 51, nays 38.

Yeas. Messrs. Allen, Baldwin, Baxter, Beard, Booker, Butler, Blevins, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gilchrist, Goldthwaite, Griffin, Grove, Hollis, Hubbard, Hudson, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, Prowell, Rodgers, Ross, Saunders, Speake, Stevens, of Coffee, Stevens, of Dallas, Ussery, Wall, Welch and White.—51.

Nays—Messrs. Speaker, Baker, Beers, Betts, Bishop, Brown, Cunningham, of Monroe, Crews, Dean, Fletcher, Gilmer, Gullett, Glenn, Glennon, Gray, Hansburger, Harris, Herndon, Hobson, Holloway, Jack, Jackson, Jolly, Mayberry, Muldon, McDonald, McKleroy, McMath, McWhorter, Ramsey, Rice, Robinson, Shields, Smith, Snoddy, Stephens, of Perry, Taylor, Titcomb—38.

By leave, the following bills were introduced:

By Mr. Rice—

H. R. No. 543. Making an appropriation for the use of the Supreme Court Library by the members of the General Assembly and officers of the State;

By Mr. McKleroy—

H. R. No. 544. To amend section 12 of an act to establish the city court of Enfaula, approved February 14, 1870;

By Mr. McDuffie, (with evidence of publication of notice, &c.)—

H. R. No. 545. For the relief of J. W. Hall, of Geneva county;

By Mr. Kennedy---

H. R. No. 546. To require the Secretary of State to furnish the Agricultural and Mechanical College copies of reports of several State departments, of trustees of the University and committee visiting the same, and the journals of the Senate and House of Representatives.

By Mr. Gray---

H. R. No. 547. To amend section 136 of the Revised Code;

By Mr. Dean (with petition and evidence of publication of notice, &c)---

H. R. No. 548. To authorize the probate judge, of Etoawah county, to order an election to be held in Attalla beat No. 17, in said county, for the purpose of allowing a majority of the citizens of said beat to determine whether vinous or spirituous liquors shall be sold or given away or otherwise disposed of therein;

By Mr. Jolly—

H. R. No. 549. In relation to the employment of counsel by the Governor to represent the State;

By Mr. Weatherford—

H. R. No. 550. To authorize the people of Franklin county to vote on the question of removing the county seat, on the 4th Saturday in March, 1877, if such election shall not be held at an earlier day;

which bills were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

The House proceeded to the consideration of the bill---

H. R. No. 52. To organize and regulate a system of public instruction:

The question pending being the amendment of Mr. Jolly to insert \$500.

Mr. Blevins moved to amend by inserting \$800.

Lost.

Mr. Hubbard moved to amend said section 5 by way of substitute as follows:

That the Superintendent of Education be authorized to expend not exceeding one thousand and fifty dollars in

procuring necessary clerical assistance for his office.

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Holloway moved to amend by inserting \$1,050---
Adopted.

Section 5, as amended, was then adopted.

Mr. Cashin moved to amend section 6 by striking out \$2,250 and inserting \$2,000;

Which, on motion of Mr. Blevins, was laid on the table.

Section 6 adopted.

Article 3 was adopted.

Pending the consideration of article 4, Mr. Jolly made the following report:

To the President of the Senate and Speaker of the House of Representatives:

The joint committee to whom was referred the joint resolution to report "on what day the present session of the General Assembly must terminate by constitutional limitation," have had the same under consideration, and submit the following as the result of their deliberations.

Section 5, of article 4, of the Constitution, provides that "the General Assembly shall meet biennially * * * and shall not remain in session longer than sixty days at the first session held under this constitution, nor longer than fifty days at any one subsequent session."

The last General Assembly settled definitely that this is the first session under the Constitution (Acts 1876, p. 120); and this division has been acquiesced in by the other departments of the State Government, and has been acted on by the present General Assembly.

The present General Assembly cannot, therefore, remain in session longer than sixty days; that is, it can remain in session sixty days.

The time commenced to run on the 14th day of November, 1876. The Supreme Court has held that the session commencing on that day will be but one session until final adjournment, notwithstanding the recess, (*ex-parte* Mathews 52 Ala. 42.) If, then, the sixty days are computed by including each day, beginning with the 14th day of November, 1876, the constitutional term would have expired on the 12th of January, 1877, and the General Assembly would now be sitting without constitutional authority, and its acts since the 12th day of January would be null and void.

The General Assembly, however, has decided that it had

the power to take the recess, and this in accordance with the principles of the decisions of the Supreme court, and in so deciding have determined the true construction of 5th section of article 4 to be, that the 60 days contemplated by that section were not to be consecutive, and that those days only should be counted in which the General Assembly should be engaged in business.

The supreme court of Alabama have so expressly decided, and have also held that Sundays and other legal holidays shall not be included in the count. The court say, in speaking of the clause in the constitution of 1868, fixing the term of the sessions of the board of education, which is substantially the same as the clause of the constitution of 1875 now under consideration:

"The constitution manifestly intends to give the board of education at least twenty business days, but it does not require that they should follow in successive order."

This remark of the court applies also to the General Assembly, and the committee are therefore of opinion that in computing the 60 days, the days for which the General Assembly took recess, Sundays, Thanksgiving Day, and Mardi Gras, it being made a legal holiday by law, should not be counted.

Omitting these days from the computation the present session of the General Assembly will terminate by constitutional limitation on the 16th day of February, 1877.

R. C. TORREY,

Chairman Senate Committee.

JNO. J. JOLLY,

Chairman House Committee.

The report was received and adopted. On motion of Mr. Blevins, the House took a recess till 3½ o'clock, p. m.

EVENING SESSION.

The House re-assembled at the hour of 3½ p. m.

By leave, Mr. Herndon, from the Judiciary Committee, reported favorably to the Senate bill---

s. No. 185. To regulate the terms of the courts of the third judicial circuit.

The bill was ordered to a third reading forthwith.

On motion of Mr. Brown, the vote by which the bill was ordered to a third reading was reconsidered and the bill postponed and made the special order for to-morrow, immediately after the reading of the journal.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill---

H. R. No. 381. To amend section 12, chapter 6, of an act to establish Revenue Code for the State of Alabama, approved March 6, 1876.

The bill was ordered to a third reading forthwith, read a third time and passed---yeas 76, nays 1.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Ross, Rodgers, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---76.

Nay---Mr. Baldwin---1.

Br. Betts, from special committee, reported a substitute for the bill---

H. R. No. 467. To amend sections 2961 and 2972, and repeal section 2963 of the Revised Code.

The substitute was adopted.

Mr. Cashin moved to postpone the further consideration of the bill and make it the special order for Monday next, 11 o'clock, and that 100 copies be printed for the use of the House.

Mr. Glenn moved to lay the motion on the table.

Carried.

Mr. Kennedy moved to postpone the further consideration of the bill and make it the special order for 12 o'clock to-morrow.

Lost.

Mr. Baldwin moved to amend as follows:

"Provided the laborer shall keep his corn."

Which, on motion of Mr. Prowell, was laid on the table.

On motion of Mr. Herndon the further consideration of

the bill was postponed, and made the special order for Saturday next, immediately after the reading of the Journal.

Mr. Betts, from Committee on Ways and Means, reported favorably to the Senate bill—

s. No. 247. To adjust with the banks of issue chartered by the State the sums to be paid by them as bonus for the enjoyment of their franchises.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 77, nays 1.

Yeas—Messrs. Speaker, Allen, Baxter, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffi McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, and Welch—77.

Nay—Mr. Blevins—1.

Also, from same committee, reported favorably to the Senate bill—

s. No. 120. To amend section 1 of chapter 2 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Mr. Jackson moved to amend by adding the following:

“Also one mule, or horse, or mare, or yoke of oxen, and two cows and calves.”

On motion of Mr. Glenn the amendment was laid on the table—Yeas 54, nays 30.

Yeas—Messrs. Allen, Baker, Beers, Bishop, Booker, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denson, DeLemos, Dillon, Doster, Espy, Forwood, George, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Hansburger, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jones, Kirkland, Mott, McAdory, McDavid, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, and White—54.

Nays—Messrs. Baldwin, Betts, Butler, Blevins, Cashin, Denman, Fletcher, Foshee, Gibson, Gilmer, Gullett, Griffin, Grove, Harris, Harrington, Jackson, Jolly, Johnston, Kennedy, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, McDuffie, McFarlane, Saunders, Snoddy, Stevens, of Dallas, Stephens, of Perry, and Weatherford—30.

Mr. Speake moved to amend by striking out the whole of the sub-division and inserting in lieu thereof:

“Two hundred dollars in money value.”

On motion of Mr. Prowell the amendment was laid on the table.

Mr. Townsend moved to amend by adding “two cows and calves.”

On motion of Mr. Prowell, the amendment was laid on the table.

Mr. Harris moved to amend by adding “household and kitchen furniture.”

On motion of Mr. Baldwin, the amendment was laid on the table.

Pending the consideration of the bill, on motion of Mr. Townsend, the House adjourned till to-morrow morning, 9½ o'clock.

FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Friday, January 26, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of

Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch—93.

Journal of yesterday read and approved.

Mr. Hobson was granted leave of absence for to-day on account of sickness.

The Speaker announced the following as the special committee upon the report of the superintendent of education :

Mr. Muldon, from first district.

“ Wall, from second district.

“ Doster, from third district.

“ Gullett, from fourth district.

“ Holloway, from fifth district.

“ Brown, from sixth district.

“ Taylor, from seventh district.

“ Fletcher, from eight district.

Mr. Hansburger submitted the following report :

Which was received and ordered to be laid on the table.

Mr Speaker :

The Joint Committee appointed and instructed by resolution of the General Assembly to inquire into the propriety of reducing the fees of the several county officers of this State, and the practicability of consolidating any of the same, have had the matter under consideration and instruct me to report :

A bill to be entitled an act “to amend section 3515 of the Revised Code;”

(Which bill has been introduced in the Senate) :

And recommend its passage.

The reductions herein made, together with those heretofore recommended in a bill reported to the Senate, reducing the fees of probate judges, are all which, in the opinion of the majority of your committee, should be reduced by a general law at this time. In some counties we find the income of other officers is sufficient to warrant a reduction of their fees, while in other counties the fees of the same officers are not sufficient for their comfortable support. Again, in some counties we find a consolidation of certain offices desirable, while in others it would be altogether inexpedient. This difference grows out of the

great inequality in the wealth and population of the various counties in the State, and renders any further effort at *Reform and Retrenchment* impracticable unless it be by special legislation for particular counties.

Having considered and acted upon all matters referred to them, your committee ask to be discharged.

Respectfully submitted,

GEO. P. HARRISON, JR.

Chairman of the Senate Committee.

J. S. HANSBURGER,

Chairman of the House Committee.

By leave Mr. Hansburger offered the following joint resolution:

Resolved by the House, the Senate concurring, That the General Assembly adjourn, *sine die*, on Monday, February 5th. 1877.

Pending its consideration, Mr. Jolly submitted the following report:

Which was received and ordered to lie on the table.

To the President of the Senate and Speaker of the House of Representatives:

The joint committee, to whom was referred the joint resolution "that this General Assembly shall adjourn on Saturday, January 27th, at 12 M., *sine die*," have had the same under consideration, and have instructed us to submit the following as the result of their deliberations:

The committee have just passed upon and submitted their report as to the Constitutional limit of the present General Assembly, and have agreed upon the 16th day of February, 1877, as the day upon which adjournment is fixed by the Constitution.

The question as to the day on which the General Assembly *should* adjourn is one of *propriety* simply, and should be passed upon by the Senate and House of Representatives. What the public interests require in this regard is, in the judgment of the committee, a matter which can be more properly and satisfactorily determined by the General Assembly.

Your committee therefore beg leave to refer the matter of the day of adjournment back to the Senate and House of Representatives for their action.

R. C. TORREY,

Chairman of the Senate Committee.

JNO. J. JOLLY,

Chairman of the House Committee.

The House resumed the consideration of the joint resolution.

On motion of Mr. Manasco, of Walker, its further consideration was postponed and made the special order for Wednesday next, 1 P. M.

By leave Mr. Denson offered the following resolution :

Resolved, That on and after the first day of February, 1877, the call of the counties shall be suspended and no new business shall be introduced after that time.

Mr. Herndon moved to amend by striking out "1st" and inserting "fifth."

Adopted.

Mr. McKleroy moved to lay the resolution on the table.

Lost.

Yeas 20, nays 67.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Booker, Butler, Crump, Espy, Gray, Harris, Kennedy, Kirkland, Lewis, McAdory, McKleroy, Prowell, Stevens, of Coffee, Stephens, of Perry, Taylor and Titcomb—20.

Nays—Messrs. Beers, Betts, Bishop, Booth, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Darden, Dean, Denson, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Manasco, of Walker, Manasco, of Winston, Muldon, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Dallas, Townsend, Ussery, Wall, Weatherford, and Welch—67.

The point of order, that under the rules the resolution required one days notice, was raised and sustained.

MESSAGES FROM SENATE.

SENATE CHAMBER, January 26, 1877.

Mr. Speaker :

The Senate has passed the following House bills :

H. R. No. 189. To regulate the publication of legal notices in the county of Bibb.

H. R. No. 178. To repeal an act entitled an act to fix the time of trial of criminal cases in circuit court of Choctaw county, approved February 10, 1875.

H. R. No. 324. To repeal an act entitled an act to compel the courts of county commissioners of this State to carry into effect the provisions of chapter 5, part 4, title 2, of the Revised Code, providing for hard labor for the county, so far as the same relates to the county of Mobile.

H. R. No. 166. To amend section 3620 of the Revised Code.

H. R. No. 164. To amend section 1 of an act to protect persons having an interest in personal property, as tenants in common or part owners thereof, approved February 3, 1876;

And has amended as therein shown, and passed the House bill—

H. R. No. 167. To amend section 3625 of the Revised Code.

And has originated and passed the following bill, and ordered the same to the House forthwith without engrossing:

s. No. 197. To amend sections 6, 7, 8, 11 and 12 of an act entitled an act to provide for the registration of electors in this State, approved March 18, 1875.

J. M. CARMICHAEL,
Secretary.

SIGNING SENATE BILLS.

The Speaker, in the presence of the House, and immediately after the titles thereof had been publicly read, signed the following Senate bills.

s. No. 184. To pay L. R. Davis for articles furnished the Senate chamber.

s. No. 347. A memorial to Congress for an appropriation for the improvement of the Alabama river.

s. No. 164. To fix the time of holding the circuit court of the county of Henry.

s. No. 35. To amend section 3736 of the Revised Code.

SPECIAL ORDER.

The House proceeded to the consideration of the Senate bill—

s. No. 185. To regulate the terms of the courts of the third judicial circuit.

Mr. Brown moved to amend by striking out "1876," where it occurs in the third line, section 1, and inserting "1877."

The amendment was adopted, the bill ordered to a third reading forthwith, read the third time and passed---yeas 80, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, Welch and White.---80.

BILLS ON SECOND READING.

The bills---

H. R. No. 543. Making an appropriation for the use of the supreme court library by the members of the General Assembly and officers of this State;

H. R. No. 549. In relation to the employment of counsel by the Governor to represent the State of Alabama;

Were severally read the second time and referred to Judiciary Committee.

The bill---

H. R. No. 544. To amend section 12 of an act to establish the City Court of Eufaula, approved February 14, 1870;

Was read the second time and referred to the select committee of five.

Committee---Messrs. McKleroy, Jack, Allen, Gilchrist and Ross.

The bills---

H. R. No. 545. For the relief of J. W. Hall, of Geneva county;

H. R. No. 548. To authorize the Probate Judge of Etowah county to order an election to be held in Attalla beat No. 17, in said county, for the purpose of allowing a majority of the citizens of said beat to determine whether vinous or spirituous liquors shall be sold, given away, &c.;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. 546. To require the Secretary of State to furnish the Agricultural and Mechanical College copies of certain reports and the journals of the Senate and House of Representatives;

Was read the second time and referred to the Committee on Education—

The bill—

H. R. No. 547. To amend section 136 of the Revised Code;

Was read the second time and referred to the Committee on Appropriations.

The bill—

H. R. No. 550. To authorize the people of Franklin county to vote on the question of removing the county seat of said county, on 4th Saturday in March, 1877, if such election shall not be held at an earlier day;

Was read the second time and referred to a select committee of five.

Committee—Messrs. Weatherford, Hollis, Dean, Booker and Butler.

The Senate bill—

s. No. 283. To amend section 1 of an act to regulate the election of municipal officers in the city of Montgomery, approved March 1, 1875;

Was read the second time and referred to the Committee on Privileges and Elections.

The Senate bill—

s. No. 199. To regulate the practice of medicine in the State of Alabama;

Was read the second time and referred to the select committee raised upon House bill No. 274.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 26, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills:

s. No. 245. To amend section 4330 and 4331 of the Revised Code, in so far as the same applies to the county of Lowndes.

s. No. 223. To amend section 654 of the Revised Code.

s. No. 327. For the benefit of the supreme court library.
And has adopted the following joint resolution :

A Joint Resolution to adjourn *sine die* on the 5th day of February, 1877, at 12 o'clock p. m.

And ordered the same forthwith to the House.

J. M. CARMICHAEL,
Secretary.

The Senate bill—

s. No. 197. To amend sections 6, 7, 8, 11 and 12 of an act to provide for the registration of electors in this State, approved March 18, 1875;

Was read once and ordered to a second reading on to-morrow.

The House concurred in the amendment of the Senate to the bill—

H. R. No. 88. To amend section 4397 (3800) of the Revised Code—Yeas 67, nays 0.

Yeas—Messrs. Speaker, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gullet, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDuffie, McFarlane, McKinsty, McKleroy, McMath, Prowell, Ross, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch---67.

The House refused to concur in the amendments of the Senate to the bill---

H. R. No. 167. To amend section 3625 of the Revised Code---Yeas 11, nays 72.

Yeas---Messrs. Baxter, Booth, Blevins, Cashin, Cunningham, of Monroe, Kelly, Mayberry, McAdory, Stephens, of Perry, Taylor, White---11.

Nays—Messrs. Speaker, Allen, Baker, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denison, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker,

Manasco, of Winston, Muldon, McDavid, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch.—72.

Mr. Rice moved to reconsider the vote by which the House refused to concur in the Senate amendments.

Which was agreed to.

Mr. Betts moved to amend the amendment of the Senate by striking out the word "Gadsden."

Pending its consideration, the hour arrived for the consideration of the Educational bill (H. R. No. 52.)

The question pending being the consideration of article IV.

Mr. Harris moved to suspend the consideration of the Educational bill until the amendments of the Senate to the H. R. No. 167 were disposed of.

Lost.

Mr. Holloway moved to postpone the consideration of the Education bill (H. R. No. 52) for the purpose of taking up and considering the

H. R. No. 175. Joint resolution suspending section 6 of article 13, of the Constitution for a limited time.

The motion was agreed to.

On motion of Mr. Prowell, the joint resolution was laid on the table.

The House resumed the consideration of the Educational bill (H. R. No. 52.)

Mr. Holloway moved to substitute for article IV of the bill, article IV as reported by the minority of the committee.

Mr. DeLemos moved to lay the substitute on the table—Yeas 18, nays 60.

Yeas—Messrs. Baldwin, Baxter, Blevins, Caldwell, Crews, DeLemos, Dillon, Gilmer, Grove, Harris, Jones, Lewis, McKleroy, McMath, Rice, Saunders, Stevens, of Dallas, Titcomb—18.

Nays—Messrs. Speaker, Baker, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, Denson, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, Mc-

David, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Rodgers, Ross, Smith, Snoddy, Speake, Taylor, Ussery, Wall, Weatherford, Welch---60.

Mr. Harris moved that the further consideration of the substitute be indefinitely postponed.

Lost.

Mr. Jolly called for the previous question.

The main question was ordered by the House, and the motion to substitute was agreed to.

Pending the consideration of article IV, the hour of 12 o'clock arrived for the consideration of the bill—

H. R. No. 92. To repeal an act to authorize and regulate the partition of crops among tenants in common, &c.

On motion of Mr. Betts, it was postponed and made the special order for Monday next, 12 M.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 26, 1877.

Mr. Speaker :

The Senate has passed one bill, as follows :

s. No. 332. To repeal an act to prohibit the wholesale and retail of spirituous liquors within two miles of the town of Bangor, in Blount county, approved February 22, 1873.

J. M. CARMICHAEL,
Secretary.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills—

H. R. No. 164. To amend section 1 of an act to prevent persons having an interest in personal property, as tenants in common, or part owners thereof, approved February 3, 1876.

H. R. No. 166. To amend section 3620 of the Revised Code.

H. R. No. 189. To regulate the publication of legal notices in the county of Bibb.

H. R. No. 324. To repeal an act entitled an act to compel the courts of county commissioners of this State to carry into effect the provisions of chapter 3, part 4, title

2 of the Revised Code providing for hard labor for the county, so far as the same relates to the county of Mobile.

The House resumed the consideration of article IV of the Educational bill (H. R. No. 52.)

Mr. DeLemos moved to amend section 1 by striking out the words "appointed by the State Superintendent of Education," and inserting in lieu thereof the words, "elected by the qualified voters."

Which on motion of Mr. Fletcher, was laid on the table.

Mr. Prowell moved to amend section 1, by way of substitute, as follows :

Be it further enacted, That the county treasurers of the respective counties of this State are hereby constituted *ex-officio* county superintendents of education of their respective counties;"

Which on motion of Mr. Blevins, was laid on the table.

Mr. Manasco, of Walker, moved to amend section 1 by adding: "Provided, that the county superintendent of Walker county shall be elected by the qualified voters of said county.

Which on motion of Mr. Prowell, was laid on the table.

Mr. Jackson moved to amend section 2 by striking out the words "annually, between the 1st and 15th of October, or as soon thereafter as practicable," and insert "monthly."

Which on motion of Mr. Cunningham, of Lauderdale, was laid on the table.

Mr. Jolly moved to adopt the substitute reported by the minority committee from and including article IV.

The motion was agreed to—Yeas 56, nays 30.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Doster, Espy, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gray, Griffin, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Townsend, Ussery, Wall, Weatherford and Welch—56.

Nays—Messrs. Baker, Baldwin, Beers, Blevins, Caldwell, Cashin, DeLemos, Dillon, Fletcher, Gilmer, Gullett, Glennon, Grove, Harris, Jackson, Jones, Johnston, Lewis,

Mayberry, Mott, McKleroy, McMath, Rice, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, and White—30.

The House proceeded to consider the articles by sections :

ARTICLE IV.

Section 1 adopted.

Mr. Jackson moved to amend section 2 by striking out the words "and second," in twenty-seventh line, subdivision 5.

Adopted.

Mr. Ross moved to amend same section, line 32, subdivision 6, by inserting after the word "apportioned" the words "for each race."

Adopted.

Section 2 was then adopted.

Mr. Ross moved to amend sec. 3, line 6, by inserting after word "poll tax" the words "from each race."

Adopted.

Section 3 was adopted.

Section 4, 5, 6 and 7 adopted.

Mr. Harrington moved to amend sec. 8, line 5, by adding after the word "probate judge" the words "and county commissioners ;"

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Harrington moved to amend by adding at the end of said section, the following: "Provided further, that every County Superintendent of Education shall present his bond to the grand jury at each term of the circuit court of his county, and they shall determine its sufficiency."

Mr. Blevins moved to lay the amendment on the table.

Lost.

Pending the consideration of the amendment of Mr. Harrington—

On motion of Mr. Denson, the House took a recess until 3½ P. M.

EVENING SESSION.

The House reassembled at the hour of 3½ P. M.

And proceeded to the consideration of the bill—

s. No. 120. To amend section 1 of chapter 2, of an act

to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Pending at the hour of adjournment on yesterday—

Mr. Robinson moved to amend by striking out all of after the figure "8" and inserting the following: "All wearing apparel, all poultry, household and kitchen, not to exceed in value one hundred dollars. Also, as much of the corn, meat and other produce raised on the premises the preceding year, as are actually necessary for the use of the family and for making the crop of the current year.

Mr. Fletcher moved to amend the amendment by way of substitute as follows:

"Household and kitchen furniture not to exceed in value one hundred dollars. One horse, mule, or yoke of oxen, one cart or wagon, two cows and calves, twenty head of stock hogs, ten head of sheep, all poultry, all corn, provisions and supplies on hand for the current year, for the use the family and the making of the crop, not exceeding one \$1,000.00 in value. All wearing apparel, all looms and spinning wheels kept for use of the family, farming tools to the value of \$25.00; tools and implements of mechanics to the value of twenty-five dollars."

Mr. Prowell moved to lay both amendments on the table.

Mr. Manasco, of Walker, called for a division of the question.

The vote being first taken on laying the substitute on the table.

Carried.

The House refused to lay the amendment on the table—Yeas 32, nays 53.

Yeas—Messrs. Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Cunningham, of Lauderdale, Crump, Dillon, Espy, Fletcher, Foshee, George, Gilchrist, Glennon, Gray, Grove, Hansburger, Jack, Kirkland, Muldon, McMath, Prowell, Saunders, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Townsend, and Wall—32.

Nays—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Brodnax, Caldwell, Cashin, Crews, Darden, Dean, Denman, Denson, DeLemos, Doster, Forwood, Goldthwaite, Gullett, Glenn, Griffin, Harris, Harrington, Herndon, Hollis, Hubbard, Jackson, Jolly, Jones, Johnston, Kennedy, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McWhorter, Ramsey, Rice, Robin-

son, Rodgers, Ross, Smith, Snoddy, Stephens, of Perry, Titcomb, Ussery and Weatherford—53.

Mr. Hubbard moved to amend the amendment by adding thereto the following: "In addition to the above exemptions, there shall be exempt, for each widow, whose property does not exceed five hundred dollars in value, two cows and calves, five head each of hogs, sheep and goats.

Adopted.

Mr. Brown moved to amend the amendment by striking out the words: "not to exceed in value one hundred dollars;"

Which, on motion of Mr. Jolly, was laid on the table.

Mr. Jolly moved to postpone the further consideration of the bill until Monday, 10 o'clock, A. M., and make it the special order for that hour.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. Jolly, from the Committee on Corporations, reported favorably to the Senate bill—

s. No. 252. To amend section sixty-seven of the act to establish a new charter for the city of Selma, approved March 8, 1875.

Mr. Blevins moved to amend by striking out "twenty cents," and insert "ten cents;"

Which, on motion of Mr. Jolly, was laid on the table.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McDavid, McDonald, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford—72.

Mr. Jolly from same committee reported adversely to the bill—

H. R. No. 238. To incorporate the Grand Lodge of Free and Ancient Accepted York Masons, of the State of Alabama, and the subordinate lodges under its jurisdiction.

Mr. Beers called for the previous question—

The main question was ordered, and the report concurred in---yeas 69, nays 11.

Yeas--Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffith, Grove, Hansburger, Harrington, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch---69.

Nays---Messrs. Baldwin, Blevins, Cashin, Gilmer, Harris, Johnston, Lewis, Mayberry, Snoddy, Stevens, of Dallas, Stephens, of Perry---11.

Mr. McKleroy, from the Committee on Education, reported favorably to the bill---

H. R. No. 401. To amend section 20, of an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16th, 1870.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 64, nays 0.

Yeas--Messrs. Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Crump, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Wall and Weatherford---64.

Also from same Committee favorably to the bill---

H. R. No. 400. To incorporate the town of Marion, in Perry county, as a public school district.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 62, nays 2.

Yeas—Messrs. Speaker, Allen, Baxter, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham of Lauderdale, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Fosbee, George, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Mott, Muldon, McAflory, McDavid, McDonald, McFarlane, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery Wall and Weatherford—62.

Nays—Messrs. Lewis and Stephens of Perry.

By leave the following bills were introduced.

By Mr. Smith—

H. R. No. 551. To provide for the election of a town marshal in the town of Athens, Limestone county;

By Mr. McDavid—

H. R. No. 552. To prescribe the manner in which sales or leases of 16th section lands in certain townships in Baldwin county may be made;

By Mr. Gray—

H. R. No. 553. To empower the court of county commissioners of Choctaw county to levy a special tax for the purpose of building bridges or for the repairing the same;

By Mr. DeLemos—

H. R. No. 554. To require the employers of convicts to pay for the whole time of hiring the same;

By Mr. Ross—

H. R. No. 555. To authorize and empower the court of county commissioners of Tallapoosa county to levy a special tax at special term of said court;

Which bills were severally read once and ordered to a second reading on to-morrow.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 26, 1877.

Mr. Speaker :

The Governor has approved the following joint resolu-

tions and memorial which originated in the House of Representatives.

H. R. No. 476. H joint resolution pronouncing as slanderous and false the charges that the last August and November elections in Alabama were not fair and legal.

H. R. No. 440. A joint resolution and memorial to Congress asking that the public lands in Alabama be granted in aid of public schools.

Respectfully,

I. H. VINCENT.

Private Secretary.

On motion of Mr. Blevins, the House adjourned until to-morrow morning 9½ o'clock.

FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,

Saturday, January 27, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Groves, of the House.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—91.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Baker until Tuesday next.

Also, to Mr. Hobson for one day on account of sickness.

Also to Mr. Gilchrist for one day.

Mr. McKleroy, from select committee, reported favorably to the bill---

H. R. No. 544. To amend section 12 of an act to establish the city court of Eufaula, approved February 14, 1870.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 76, nays 1.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKistry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens of Coffee, Taylor, Townsend, Ussery, Wall, Weatherford, Welch and White---76.

Nay—Mr. Blevins---1.

Mr. Weatherford, from select committee, reported favorably to the bill---

H. R. No. 550. To authorize the people of Franklin county to vote on the question of removing the county seat of said county on the 4th Saturday in March, 1877, if such election shall not be held at an earlier day;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 79, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Blevins, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McKistry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, Welch and White---79.

BILLS ON SECOND READING.

The bill---

H. R. No. 551. To provide for the election of a town marshal in the town of Athens, Limestone county;

Was read the second time and referred to a select committee of three.

The bill---

H. R. No. 552. To prescribe the manner in which sales or leases of 16th section lands in certain townships in Baldwin county may be made,

Was read the second time and referred to the Committee on Education.

The bill---

H. R. No. 553. To empower the court of county commissioners of Choctaw county to levy a special tax for the purpose of building bridges or for repairing the same;

Was read the second time and referred to the Committee on Local Legislation.

The bill---

H. R. No. 554. To require the employers of convicts to pay for the whole time of hiring the same;

Was read the second time and referred to the Committee on Penitentiary.

The bill---

H. R. No. 555. To authorize and empower the court of county commissioners of Tallapoosa county to levy a special tax at special term of said court;

Was read the second time and referred to a select committee composed of the Representatives from Tallapoosa and Lee.

The Senate bill---

s. No. 197. To amend sections 6, 7, 8, 11, and 12 of an act to provide for the registration of electors in this State, approved March 18, 1875;

Was read the second time and referred to the Joint Committee on Registration.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 27, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills,

and ordered the same to the House forthwith without engrossing:

s. No. 325. To adopt a code of laws for the State of Alabama.

s. No. 324. To require the present commissioners on the revision of the statutes, to codify the acts of the present session of the General Assembly, and to supervise the publication of the code adopted at the present session of the General Assembly.

s. 326. For the publication of the Code of Alabama.

And has amended as therein shown, and passed House bill---

H. R. No. 57. To regulate the trial of misdemeanors in Jefferson county, Alabama.

J. M. CARMICHAEL,
Secretary.

On motion of Mr. Betts the Governor's message and the report of the trustees of the University was referred to the Committee on Public Buildings and Institutions.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills:

H. R. No. 88. To amend section 4397 (3800) of the Revised Code.

H. R. No. 178. To repeal an act entitled an act to fix the time for trial of criminal cases in circuit court of Choctaw county, approved February 10th, 1875.

The Speaker also, in the presence of the House of Representatives, and immediately after the title thereof had been publicly read, signed the following Senate bill:

s. No. 247. To adjust with the banks of issue, chartered by the State, the sums to be paid by them as bonus for the enjoyment of their franchises.

The House next proceeded to the consideration of the amendments of the Senate to the bill---

H. R. No. 167. To amend section 3625, of the Revised Code.

Mr. Rice moved that the vote be taken first on concurring in the amendment, inserting "Bailey Springs," and then upon the amendment inserting "Gadsden."

Which was agreed to.

The House concurred in the amendment of the Senate, inserting "Bailey Springs" after the words Blount Springs --Yeas 62, nays 18.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Betts, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Glenn, Griffin, Grove, Herndon, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—62.

Nays—Messrs. Baldwin, Beers, Bishop, Blevins, Cashin, DeLemos, Gilmer, Gullett, Harris, Harrington, Johnston, Lewis, Mayberry, Rice, Ross, Snoddy, Stevens, of Dallas, Stephens, of Perry—18.

And refused to concur in the amendment of the Senate, inserting the word "Gadsden"—Nays 86, yea, Mr. Lewis, 1.

Nays—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White.—86.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 27, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills:

s. No. 343. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors within $3\frac{1}{2}$ miles of the Prattville Male and Female Academy, in the county of Autauga.

s. No. 290. To authorize the mayor and council of the town of Union Springs, Alabama, to adjust or compromise the bonded indebtedness of said town.

s. No. 179. To amend section 1986 of the Revised Code.

s. No. 262. To amend section 1 of an act to authorize the warden of the penitentiary to contract with the South and North Alabama railroad company, approved March 6, 1876.

s. No. 196. To regulate and prescribe the mode of approval of the bonds of county officers in the county of Lowndes, in this State.

s. No. 345. To authorize the county superintendent of Lee county to pay certain debts contracted by the trustees of the public schools of the city of Opelika.

s. No. 104. To declare and regulate liens for rent of lands and advances to make a crop, and enforce the same.

s. No. 330. To prevent the sale or giving away of spirituous or intoxicating liquors to persons of known intemperate habits.

s. 241. To prohibit the sale, giving away or otherwise disposing spirituous liquors, intoxicating bitters, or other intoxicating beverages within three miles of Union church, in Macon county.

s. No. 132. To amend subdivision 6, of section 2716 of the Revised Code.

s. No. 178. To amend section 3125 of the Revised Code.

s. No. 308. To require witnesses in criminal cases to prove their attendance in term time.

s. No. 177. To regulate the terms of the county court for the county of Tuscaloosa, and the trial of misdemeanors therein.

And has originated and passed the following bill and ordered the same forthwith to the House without engrossing.

s. No. 192. To amend section 2, of an act to execute to the power of disposal of the lands granted by an act of Congress entitled an act granting public lands in alternate sections, to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the legislature of Alabama, by said act of congress.

J. M. CARMICHAEL, Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 27, 1877.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives:

No. 189. An act to regulate the publication of legal notices in the county of Bibb.

No. 166. An act to amend section 3620, of the Revised Code.

No. 164. An act to amend section 1, of an act to protect persons having an interest in personal property as tenants in common or part owners thereof, approved February 3d, 1876.

No. 324. An act, to repeal an act, entitled an act to compel the courts of county commissioners of this State to carry into effect the provisions of chapter 3, part 4, title 2, of the Revised Code, providing for hard labor for the county, so far as the same relates to the county of Mobile.

Respectfully,

IKE H. VINCENT,
Private Secretary.

Mr. Jolly, in pursuance of a notice given by him, on yesterday, offered the following resolution:

Resolved, That hereafter no member of this House shall be allowed to speak longer than five minutes at any one time unless by consent of two-thirds of the members present.

Mr. Denson moved to amend by way of substitute as follows:

That on, and after Tuesday, 30th inst., each member, who discusses any measure pending before the House, shall be limited to ten minutes in his speech, unless by leave of the House the time is extended.

Mr. Brown moved to lay the substitute on the table.

Lost.

The substitute was adopted, and the resolution as amended was adopted.

The resolution of Mr. Denson, providing that after 5th of February next, no new business shall be introduced, was taken up and adopted.

SENATE BILLS ON FIRST READING.

The Senate bills—

s. No. 324. To require the present commissioners on the revision of the statutes to codify the acts of the present session of the General Assembly to supervise the publication of the code adopted at the present session of the General Assembly.

s. No. 325. To adopt a code of laws for the State of Alabama.

s. No. 326. For the publication of the code of Alabama.

s. No. 192. To amend section 2, of an act to execute the powers of disposal of the lands granted by an act of Congress, entitled an act, granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the legislature of Alabama, by said act of congress.

s. No. 327. For the benefit of the supreme court library.

s. No. 223. To amend section 654 of the Revised Code.

s. No. 245. To amend sections 4330 and 4331 of the Revised Code, in so far as the same applies to the county of Lowndes.

s. No. 332. To repeal an act to prohibit the wholesale and retail of spirituous liquors within two miles of the town of Bangor, in Blount county, approved February 22, 1873.

Were severally read once and ordered to a second reading on to-morrow.

The House next proceeded to the consideration of the Senate amendment to the bill—

H. R. No. 267. To require emigration agents plying their vocation in Barbour and other counties therein named, to pay a license tax.

Mr. Jack moved to amend the amendment by striking out "Hale county."

Mr. Wall to amend by striking out Butler county.

Mr. Mott to amend by striking out Washington county.

"Doster to amend by striking out Dale county.

"Stevens, of Coffee, to amend by striking out Coffee county.

"Espy to amend by striking out Henry county.

The amendments were severally adopted.

Mr. Harris moved to amend by striking out "Montgomery county."

Which on motion of Mr. Cashin, was laid on the table.

The amendment of the Senate, as amended was concurred in—Yeas 70, nays 25.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Booker, Butler, Blevins, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Gray, Griffin, Harris, Herndon, Jack, Jackson, Jolly, Johnston, Kelly, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McKleroy, McMath, McWhorter, Prowell, Rice, Saunders, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Weatherford, White—70.

Nays—Messrs. Brown, Foshee, George, Goldthwaite, Gullett, Glenn, Grove, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hudson, Jones, Kennedy, Manasco, of Walker, McDavid, McFarlane, McKinstry, Robinson, Rodgers, Ross, Stevens, of Coffee, Wall, Welch—25.

EDUCATIONAL BILL.

The next business in order being the consideration of the bill—

H. R. No. 52. To organize and regulate a system of public instruction, &c.

By leave, Mr. Harrington withdrew his amendment to section 8, article IV.

Sections 8, 9, 10, 11 and 12 were adopted.

Article IV was adopted.

ARTICLE V.

Sections 1, 2, 3 and 4 were adopted.

Mr. Ross moved to amend section 5 by inserting in line 4, before the word "actual" "the," and after the word "attendance," in same line "of each pupil."

Adopted.

Section 5 adopted.

Sections 6, 7, 8, 9, 10, 11, 12, 13 and 14 adopted.

Mr. Jackson moved to reconsider the vote adopting section 2, in order that he might offer an amendment.

Lost.

Article V adopted.

ARTICLE VI.

Mr. Harris moved to amend section 1 by striking out the words "from such authority as may be designated by said trustees," and inserting "from the county superintendent."

Which on motion of Mr. Griffin, was laid on the table.
Sections 1 and 2 were adopted.

Article VI adopted.

ARTICLE VII.

Mr. Harrington moved to amend section 1 by inserting after the words "county line," in second line, the following: "or any other insuperable barrier, such as rivers, creeks or mountains."

Adopted.

Section 1 adopted.

Sections 2, 3, 4, 5 and 6 were adopted.

Article VII adopted.

ARTICLE VIII.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 were adopted.

Mr. Robinson moved to amend section 16 by adding thereto, the following: "Provided, that nothing contained in this section shall interfere with the claims of teachers who taught public schools prior to the year 1874."

Adopted.

Section 16 adopted.

Sections 17, 18 and 19 adopted.

Mr. Holloway moved to amend section 20 by striking out the words "five hundred," in line two, and inserting "one thousand."

Adopted.

Section 20 adopted.

Mr. Fletcher moved to amend section 21 by striking out the words "five hundred," in line 4, and inserting "one thousand."

Adopted.

Section 21 adopted.

Article VIII adopted.

ARTICLE IX.

On motion of Mr. Betts, section 1 was stricken out. Sections 2 and 3 (renumbered 1 and 2) were adopted.

Article IX adopted.

Mr. Brown moved to reconsider the vote by which article 1 was adopted.

The motion was agreed to.

Mr. Brown moved to amend section 1 of said article, by way of a substitute.

Mr. Jolly moved to amend the substitute by striking out "four per cent." and inserting "six per cent."

Also, by striking out \$100,000 and inserting \$130,000.

The question being first put upon the amendment to insert "six per cent."

Carried.

Mr. Fletcher moved to amend the amendment to insert "\$130,000.00," by making it \$150,000.00;

Which, on motion of Mr. Brown, was laid on the table.

And the amendment to insert \$130,000.00;

Was adopted.

The substitute as thus amended was then adopted.

Mr. Forwood moved to reconsider the vote by which ART. IV. was adopted, in order that he might offer an amendment;

Which, on motion of Mr. Prowell, was laid on the table.

The bill was then ordered to a third reading forthwith, read the third time and passed—Yeas 56, nays 22.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Betts, Booker, Butler, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, Doster, Espy, Fletcher, Forwood, Foshee, George, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Kennedy, Kirkland, Manasco, of Winston, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Ussery, Welch and White—56.

Nays—Messrs. Baldwin, Bishop, Blevins, Brown, Cashin, DeLemos, Dillon, Gilmer, Harris, Jones, Johnston, Lewis, Mayberry, Mott, McDonald, McKleroy, McMath, Rice, Stevens, of Dallas, Stephens, of Perry, Taylor and Titcomb—22.

The bill was ordered to be sent forthwith to the Senate without engrossment.

The House then proceeded to the consideration of the bill—

H. R. No. 467. To amend sections 2961 and 2962, and to repeal section 2963 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 61, nays 6.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, Denson, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Townsend, Ussery, Weatherford, Welch, White—61.

Nays—Messrs. Blevins, Cashin, Johnston, Rice, Stevens, of Dallas, Stephens, of Perry,—6.

REPORTS FROM COMMITTEES.

Mr. McKleroy, from the Committee on Education, reported favorably to the bill—

H. R. No. 487. To require the payment to the county superintendent of education of Franklin county of the balance of the school fund, due to said county on the apportionment for the scholastic year, 1871-2.

The bill was ordered to a third reading forthwith, read the third time and passed, and ordered to be sent forthwith to the Senate without engrossment—Yeas 63, nays 0.

Yeas—Messrs. Allen, Beard, Beers, Booker, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy,

McMath, McWhorter, Prowell, Rodgers, Ross, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch and White---63.

Mr. McKleroy, from same committee, reported a substitute for the bill—

H. R. No. 349. For the relief of Mark A. Cooke, of Dale county.

Pending the consideration, the following bills were introduced by leave—

By Mr. Dean, (with petition and evidence of publication of notice)—

H. R. No. 556. To repeal an act to incorporate the town of Attalla, in the county of Etowah, approved February 5, 1872.

By Mr. Mott—

H. R. No. 557. To repeal an act to authorize the sheriff of Washington county, by virtue of his office, to collect the State and county taxes, and perform generally all the duties which by law are now required of the tax collector of said county.

By Mr. Kelly—

H. R. No. 558. To punish persons engaged in mercantile business who under a false promise or pretense of carrying on trade, obtains money or other things of value with intent to defraud.

By Mr. Hudson, (with evidence of publication of notice, &c.)—

H. R. No. 559. For the relief of T. P. Cottle.

By the same—

H. R. No. 560. To repeal an act to amend subdivision three of section 926 of the Revised Code.

Also, (with evidence of publication of notice, &c.)—

H. R. No. 561. For the relief of S. A. Dauphin, tax collector, of Covington county.

By Mr. Jolly, (with evidence of publication of notice, &c.)

H. R. No. 562. To regulate municipal elections in the city of Birmingham, and to prescribe the qualifications of electors at the same.

By Mr. McAdory, (with evidence of publication of notice, &c.)—

H. R. No. 563. To establish a separate school district in the county of Jefferson at Oxmoor.

By Mr. Manasco, of Walker, (with petition and evidence of publication of notice)---

H. R. No. 564. To authorize William McGough to erect mill dams across certain water streams in the county of Walker.

By Mr. Dillon---

H. R. No. 565. To prevent imposition in the sale of garden or horticultural seed in this State.

By Mr. Herndon---

H. R. No. 566. For the funding of the debts of municipal corporations.

By Mr. Snoddy---

H. R. No. 567. To require the jailor of Greene county to prevent prisoners under his charge from suffering by cold weather;

Which bills were severally read once and ordered to a second reading on to-morrow.

Pending the consideration of the substitute reported by Mr. McKleroy;

On motion of Mr. Blevins, the House adjourned until Monday morning, 9½ o'clock.

FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, January 29, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter,

Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford Welch and White.

Journal of Saturday read and approved.

Mr. Smith, from select committee, reported favorably to the bill—

H. R. No. 551. To provide for the election of a town marshal in town of Athens, Limestone county.

The bill was ordered to a third reading forthwith, read the third time and passed --Yeas 78, nays 0.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDavid, McDonald, McDuffie, McFarlane, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White.
--78.

BILLS ON SECOND READING.

The bills—

H. R. No. 556. To repeal an act to incorporate the town of Attalla, in county of Etowah, approved February 5, 1872;

H. R. No. 562. To regulate municipal elections in the city of Birmingham, and to prescribe the qualifications of electors at the same;

H. R. No. 566. To provide for the funding of the debts of municipal corporations;

And the Senate bill—

s. No. 192. To amend section 2 of an act to execute the power of disposal of the lands granted by an act of Congress, entitled an act granting public lands, in alternate sections, to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the Legislature of Alabama by said act of Congress;

Were severally read the second time and referred to the Committee on Corporations.

The bills—

H. R. No. 557. To repeal an act to authorize the sheriff of Washington county, by virtue of his office, to collect the State and county taxes, and perform generally all the duties which by law are now required by the tax collector of said county;

H. R. No. 561. For relief of S. A. Dauphin, tax collector of Covington county;

And the Senate bill—

s. No. 332. To repeal an act to prohibit the wholesale and retail of spirituous liquors within two miles of the town of Bangor, in Blount county, approved February 22, 1873;

Were read the second time and referred to the Committee on Local Legislation.

The bill—

H. R. No. 564. To authorize Wm. McGough to erect mill dams across certain water streams in the county of Walker;

Was read the second time and referred to the Committee on Public Roads and highways.

The bill—

H. R. No. 560. To repeal an act to amend subdivision 3, of section 926 of the Revised Code;

Was read the second time and referred to the Committee on Finance.

The bill—

H. R. No. 563. To establish a separate school district, in the county of Jefferson, at Oxmoor;

Was read the second time and referred to the Committee on Education.

The bill—

H. R. No. 565. To prevent imposition in the sale of garden or horticultural seeds in this State;

Was read the second time and referred to the Committee on Agriculture and Commerce.

The bill—

H. R. No. 559. For the relief of T. P. Cottle;

Was read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 567. To require the jailor of Greene county to

prevent prisoners under his charge from suffering by cold weather;

Was read the second time and referred to the Committee on Public Buildings and Institutions.

The bill—

H. R. No. 558. To punish persons engaged in mercantile business, who, under a false promise or pretense of carrying on trade, obtains money or other thing of value with intent to defraud;

And the Senate bills—

s. No. 324. To require the present commissioners on the revision of the statutes to codify the acts of the present session of the General Assembly, to supervise the publication of the Code adopted at the present session of the General Assembly;

s. No. 325. To adopt a code of laws for the State of Alabama;

s. No. 326. For the publication of the Code of Alabama;

s. No. 245. To amend sections 4330 and 4331 of the Revised Code, in so far as the same applies to the county of Lowndes;

Were severally read the second time and referred to the Judiciary Committee.

The Senate bills—

s. No. 223. To amend section 654 of the Revised Code;

s. No. 327. For the benefit of the supreme court library;

Were severally read the second time and referred to the Committee on Fees and Salaries.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 29, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills :

s. No. 64. To establish an inferior court of record for the county of Hale, with civil and criminal jurisdiction;

s. No. 214. To create a Board of Finance in this State, and prescribe the duties thereof.

And has passed the House bill—

H. R. No. 398. To authorize the city of Huntsville to levy a special tax.

And has adopted and passed a substitute for the House bill—

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock or cattle of any kind.

And has also originated and passed the following bills:

s. No. 125. To amend section 2076 of the Revised Code.

s. No. 78. To secure the better protection and government of minors.

s. No. 123. To repeal an act to prescribe the terms on which married women may take appeals to the supreme court, and the effect of such appeals, approved March 9, 1871.

s. No. 126. To amend section 2532 of the Revised Code.

And has originated and passed the following bill—

s. No. 318. For the relief of the Montgomery Female College, an educational, literary and scientific institution, duly incorporated and exempt from taxation, and to have refunded the State and county taxes improperly collected on the property of the institution during the years extending from 1869 to 1875.

J. M. CARMICHAEL,
Secretary.

SENATE BILLS ON FIRST READING.

The Senate bills—

s. No. 214. To create a board of finance in this State, and prescribe the duties thereof.

s. No. 64. To establish an inferior court of record for the county of Hale, with civil and criminal jurisdiction.

s. No. 177. To regulate the terms for the county court for the county of Tuscaloosa, and the trial of misdemeanors therein.

s. No. 308. To require witnesses in criminal cases to prove their attendance in term time.

s. No. 178. To amend section 3125 of the Revised Code.

s. No. 132. To amend subdivision 6 of section 2716 of the Revised Code.

s. No. 241. To prohibit the sale, &c., of spirituous liquors, intoxicating bitters, or other intoxicating beverages within three miles of Union church, in Macon county.

s. No. 330. To prevent the sale or giving away of spirituous or intoxicating liquors to persons known of intemperate habits.

s. No. 104. To declare and regulate liens for rent of

lands and advances to make a crop, and enforce the same.

s. No. 196. To regulate and prescribe the mode of approval of the bonds of county officers in the county of Lowndes.

s. No. 202. To amend section 1 of an act to authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company, approved March 6, 1876.

s. No. 179. To amend section 1986 of the Revised Code.

s. No. 290. To authorize the mayor and council of the town of Union Springs, Alabama, to adjust or compromise the bonded indebtedness of said town.

s. No. 345. To authorize the county superintendent of Lee county to pay certain debts contracted by the trustees of the public schools of the city of Opelika.

s. No. 343. To prohibit the sale, &c., of spirituous, vinous or malt liquors within $3\frac{1}{2}$ miles of the Prattville Male and Female Academy, in the town of Prattville, in the county of Autauga.

s. No. 318. For the relief of the Montgomery Female College, an educational, literary and scientific institution, duly incorporated and exempt from taxation, and to have refunded the State and county taxes improperly collected on the property of the institution during the years extending from 1869 to 1875;

Were severally read once and ordered to a second reading on to-morrow.

The House concurred in the amendment of the Senate to the bill—

H. R. No. 57. To regulate trial of misdemeanors in Jefferson county—Yeas 74, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—74.

Also, concurred in the amendment of the Senate (it being a substitute) to the bill—

H. R. No. 129. To define and regulate the responsibility of railroads for damages to live stock, or cattle of any kind—Yeas 60, nays 12.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Grove, Hansburger, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Mayberry, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rodgers, Ross, Smith, Speake, Titcomb, Townsend, Ussery, Wall, Welch, White—60.

Nays—Messrs. Betts, Cashin, DeLemos, Dillon, Griffin, Harris, Lewis, Muldon, McDonald, Prowell, Snoddy, Stephens, of Perry,—12.

The Senate joint resolution to adjourn *sine die* on the 5th of February, 1877, at 12 P. M., was taken up.

Pending its consideration,

By leave, Mr. Brown offered the following joint resolution, which was adopted :

Resolved by the House, the Senate concurring, That a joint committee be raised, consisting of three members from the House and two from the Senate, whose duty it shall be to take into consideration the subject of final adjournment, and suggest as early as practicable a day for such adjournment, and that all resolutions on that subject be referred to said committee.

Committee on the part of the House, Messrs. Jolly, Beers and Brown.

SPECIAL ORDER FOR 10 A. M.

The hour of 10 o'clock having arrived, the House proceeded to the consideration of the Senate bill—

s. No. 120. To amend section 1 of chapter 2 of an act to establish a Revenue Code.

The question pending being the amendment of Mr. Robinson as amended by the House.

On motion of Mr. Brown, its consideration was temporarily suspended for the purpose of allowing the Committee on Ways and Means to report upon the bill—

H. R. No. 174. To reduce the rate of taxation on property to fifty cents on the hundred dollars of the value thereof.

Mr. Betts, from said committee, reported a substitute for the bill—

H. R. No. 174. The substitute entitled an act to reduce the rate of taxation on property to sixty cents on the one hundred dollars of the value thereof.

Mr. Townsend moved to amend by making the rate of taxation "seventy cents on the one hundred dollars."

Which on motion of Mr. Griffin, was laid on the table.

Mr. Rice moved to lay the bill on the table.

Lost—Yeas 10, nays 77.

Yeas—Messrs. Harrington, Lewis, Mayberry, Muldon, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry, Townsend, Weatherford—10.

Nays—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Welch—77.

Mr. Ross moved to amend by striking out "sixty" and inserting "sixty-five."

Which, on motion of Mr. Blevins, was laid on the table.

The substitute was adopted—Yeas 84, nays 8.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald,

McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, Weatherford, and Welch---84.

Nays---Messrs. Harrington, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry, and Taylor---8.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 78, nays 11.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshlee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Johnston, Kelly, Kirkland, Kennedy, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---78.

Nays---Messrs. Betts, Harris, Harrington, Lewis, Mayberry, Prowell, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry, and Taylor---11.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 29, 1877.

Mr. Speaker :

The Senate refuses to concur in the House---

H. R. No. 568. Joint resolution raising a committee on final adjournment;

And ordered that the House be notified forthwith of the non-concurrence.

J. M. CARMICHAEL.

Secretary.

Mr. Beers moved to suspend the regular order of business for the purpose of taking up the Senate message just received.

Lost.

The House resumed the consideration of the Senate bill---

s. No. 120. To amend section 1 of chapter 2 of an act to establish a Revenue Code.

Mr. Griffin moved to amend the amendment by adding, "and one horse or mule."

On motion of Mr. Jolly the further consideration of the bill was postponed and made the special order for Thursday next, 11 A. M.

Mr. Herndon, from special joint committee, reported a substitute for the bill---

H. R. No. 390. To further regulate property exempted from sale for the payment of debts under legal process or administration, and to provide further for the ascertainment and protection of such exempted property.

Mr. Crews called for the previous question.

The call was sustained.

The vote being taken upon the substitute,

It was adopted.

Pending the question of ordering the bill to a third reading forthwith,

The hour of 1½ arrived, when, on motion of Mr. Blevins, the House took a recess until 3½ P. M.

— EVENING SESSION.

The House reassembled at the hour of 3½ P. M.

By leave, bills were introduced:

By Mr. Stevens, of Coffee (with evidence of publication of notice)---

H. R. No. 569. For the relief of John D. Hudson, former superintendent of education of Covington county;

By Mr. DeLemos (with evidence of publication of notice, &c.)---

H. R. No. 576. To extend the provisions of the stock law of Lowndes county to the whole of Letohatchie beat;

By Mr. Allen (with evidence of publication of notice, &c.)---

H. R. No. 571. To allow Jas. M. Roberts, a disabled Confederate, of Cleburne county, to peddle without license;

By Mr. Crews---

H. R. No. 572. To amend section 1614 of the Revised Code;

By Mr. Glennon---

H. R. No. 573. To amend paragraph 3 of section 7 of an

act to establish a Revenue Code for the State of Alabama, approved March 6, 1876;

By Mr. Betts---

H. R. No. 574. To regulate the administration of the several institutions of this State, supported in part or whole by public funds;

By Mr. White (with petition and evidence of publication of notice, &c.)

H. R. No. 575. To repeal an act to prohibit the sale or giving away of vinous, spirituous or malt liquors within five miles of certain places therein named in Cherokee county, approved March 29, 1873, so far as it relates to beats three and four of said county;

By Mr. Jolly (with evidence of publication of notice, &c.)---

H. R. No. 576. To amend an act for the relief of Ben DeLemos, passed by the Board of Education, approved December 11, 1874;

Which bills were severally read once and ordered to a second reading on to-morrow.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 29, 1877.

Mr. Speaker:

The Governor has approved the following bills, which originated in the House of Representatives:

H. R. No. 88. An act to amend section 4397 (3800) of the Revised Code;

H. R. No. 178. An act to repeal an act entitled an act to fix the time for trial of criminal cases in circuit court of Choctaw county, approved February 10, 1875.

Respectfully,

IKE H. VINCENT,
Private Secretary.

On motion of Mr. Herndon the House resumed the consideration of the bill.

H. R. No. 390. To further regulate property exempted from sale for the payment of debts, &c.

Mr. Brown called for the previous question;

The call was sustained, and the bill ordered to a third

reading forthwith, read the third time and passed---yeas 57, nays 32.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Dean, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Hollis, Jack, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rodgers, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Wall and Welch---57.

Nays---Messrs. Baldwin, Betts, Blevins, Brodnax, Cashin, Cunningham, of Monroe, Crump, Darden, Denman, DeLemos, George, Gilchrist, Goldthwaite, Harrington, Holloway, Hubbard, Hudson, Jackson, Johnston, Kelly, Lewis, Mayberry, McWhorter, Rice, Robinson, Ross, Snoddy, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery and White---32.

REPORTS FROM STANDING COMMITTEES.

The reports from standing committees being in order, the consideration of the bill—

H. R. No. 349. For the relief of Mark A. Cooke was resumed.

The question pending being the substitute reported by the Committee on Education.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed---yeas 65, nays 15.

Yeas---Messrs. Speaker, Allen, Baxter, Beers, Booth, Butler, Brodnax, Caldwell, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Harris, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Rice, Rodgers, Ross, Smith, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch---65.

Nays---Messrs. Betts, Bishop, Cashin, Cunningham, of Lauderdale, Darden, Gilchrist, Hansburger, Harrington,

Saunders, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Townsend, White—15.

Mr. Dillon, from same committee, reported favorably to the Senate bill—

s. No. 286. To amend section 1, of an act to establish a State Normal School and University, for the education of colored teachers, approved December 6th, 1873, and amended by an act of the school board, December 15th, 1874.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 71, nays 1.

Yeas—Messrs. Allen, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harrington, Hollis, Holloway, Hubbard, Jack, Jackson, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---71.

Nay—Mr. Blevins---1.

MESSAGE FROM SENATE.

SENATE CHAMBER, January 29, 1877.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

s. No. 303. For the relief of officers and teachers of public schools.

s. No. 334. To provide a biennial appropriation of a sum not to exceed two hundred dollars to pay the expense of engraving maps, charts, drawings, sections, &c., to illustrate the reports of the State Geologist.

s. No. 341. To regulate municipal elections in the State of Alabama.

And has amended, as therein shown, and passed H. R. bill—

H. R. No. 9. For the preservation of game, animals and birds, in the counties of Mobile, Choctaw, Monroe, Clarke,

Washington, Baldwin, Marengo, Lowndes, Sumpter, Wilcox, Perry, Escambia, Hale, Dallas, Montgomery, Greene, Pickens, Butler and Conecuh.

And concurs in House amendment to the Senate amendment to the House bill.

H. R. No. 167. To amend section 3625, of the Revised Code, striking out the word "Gadsden."

And amended as therein shown and passed House bill;

H. R. No. 162. To regulate and define the line between the counties of DeKalb and Marshall.

Also the bill—

No. 266. To amend the act to provide for the impeachment, and removal from office, of the officers mentioned in sections 2 and 3, of article 7, of the constitution of Alabama.

And has passed House bills—

No. 259. To reorganize the San Juan Mining Company, of Mobile and extend the powers thereof.

H. R. No. 103. To amend section 1, of an act, approved 27th of January 1876, entitled an act to amend section 43, of an act to regulate elections in the State of Alabama, approved 3d of March 1875.

J. M. CARMICHAEL,
Secretary.

By leave Mr. McMath offered the following resolution, which was adopted :

Resolved, That the Judiciary Committee may at any time report upon the Senate Bills, Nos. 325, 326,, 327, relating to the adoption of the new code.

By leave Mr. Denson, from the Committee on Accounts and Claims reported favorably to the Senate bill—

s. No 239 For the relief of James T. Holtzclaw, surviving partner of the firm of Judge & Holtzclaw.

The bill was ordered to a third reading forthwith.

Mr. Griffin moved to postpone the further consideration of the bill until Friday next, 12 M., and make it the special order for that hour.

Lost.

The bill was read the third time and passed—yeas 64, nays 16.

Yeas—Messrs. Allen, Baldwin, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Blevins, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Dean, Denson, DeLemos, Doster, Espy, Fletcher,

Foshee, George, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Herndon, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Mott, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Wall, Weatherford and Welch---64.

Nays---Messrs. Bishop, Crump, Denman, Dillon, Forwood, Griffin, Harrington, Johnston, Kirkland, Lewis, Manasco, of Winston, Prowell, Stevens, of Dallas, Stephens, of Perry, Ussery, and White---16.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bill, and the Speaker, in the presence of the House, and immediately after its title had been publicly read, signed said bill—

H. R. No. 398. To authorize the city of Huntsville to levy a special tax.

On motion of Mr. McKleroy, the regular order of business was suspended to take up Senate bill—

s. No. 303. For the relief of officers and teachers of public schools.

The bill was read once and ordered to a second reading on to-morrow.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Jan. 29th, 1877.

Mr Speaker :

I am directed by the Governor to communicate to the House of Representatives a message, in writing, with accompanying report.

Very respectfully,

IKE H. VINCENT,
Private Secretary.

Gentlemen of the Senate, and of the House of Representatives:

I transmit herewith a supplemental report and accom-

panying tables, from the Superintendent of Education, which are intended to be explanatory of some of the points, or tables in his original report.

If the time would permit, I would have the necessary examination made in the offices of the Auditor and Treasurer; but it would take, as I learn, the most, if not all, of this week to obtain tables from those officers, and to avoid delay, I send up the report at once.

GEO. S. HOUSTON,
Governor.

On motion of Mr. Jolly, the Senate Joint Resolution, in relation to final adjournment, was taken up.

Mr. Manasco, of Walker, moved to amend by striking out "5th" and inserting "3d;"

Which, on motion of Mr. Fletcher, was laid on the table.

Mr. Beers moved to amend by striking out "5th" and inserting "15th."

On motion of Mr. Jolly, the resolution was laid on the table---yeas 48, nays 38.

Yeas—Messrs. Baldwin, Beers, Betts, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crump, Dean, DeLemos, Doster, Espy, Fletcher, Forwood, George, Goldthwaite, Glenn, Glennon, Grove, Herndon, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Lewis, Mayberry, Mott, Muldon, McDavid, McDuffie, McKinstry, McMath, Rodgers, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Titcomb, Townsend, Ussery, White—48.

Nays—Messrs. Allen, Baxter, Beard, Bishop, Booth, Cunningham, of Lauderdale, Crews, Darden, Denman, Denson, Dillon, Foshee, Gilchrist, Gilmer, Gullett, Gray, Griffin, Hansburger, Harrington, Holloway, Kennedy, Manasco, of Walker, Manasco, of Winston, McAdory, McDonald, McFarlane, McKleroy, Prowell, Rice, Robinson, Ross, Saunders, Smith, Snoddy, Wall, Weatherford and Welsh—38.

By leave, the following bills were introduced:

By Mr. George (with petition and evidence of publication of notice, &c.)—

H. R. No. 577. To prevent the sale, giving away or otherwise disposing of spirituous or vinous liquors within the limits of Nanafalia beat, in Marengo county.

By Mr. McAdory—

H. R. No. 578. To change the boundary line between Blount and Jefferson counties.

Which bills were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Beers, the House adjourned until to-morrow morning, 9½ o'clock.

FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, January 30, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Crump, of the House.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, and Welch—86.

Journal of yesterday read and approved.

Mr. McDuffie moved that the regular order be suspended for the purpose of allowing the Committee on Local Legislation to report two bills—

The motion was agreed to.

Mr. Brown, from same committee, reported favorably to the following bills:

H. R. No. 456. To prescribe additional duties for the treasurer of Geneva county;

H. R. No. 455. To reduce the number of grand and petit jurors in Geneva county;

The bills were severally ordered to a third reading forthwith, read the third time and passed.

The following is the vote on passage of the bill H. R. No. 456.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, and Welch—80.

Nays—Messrs. Lewis, and Stephens, of Perry,---2.

The following is the vote on passage of the bill (H. R. No. 455):

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, and Welch—78.

Nays—Messrs. Blevins, Lewis, Stevens, of Dallas, and Stephens, of Perry,---4.

Mr. Hubbard moved to take up the bill (H. R. No. 49.) for the purpose of making it the special order for 1 o'clock P. M. this evening.

Lost.

BILLS ON SECOND READING.

The bills--.

H. R. No. 572. To amend section 1614 of the Revised Code.

And the Senate bills---

s. No. 179. To amend section 1986 of the Revised Code.

s. No. 196. To regulate and prescribe the mode of approval of the bonds of county officers in the county of Lowndes in this State.

s. No. 178. To amend section 3125 of the Revised Code.

s. No. 132. To amend subdivision 6 of section 2716 of the Revised Code.

s. No. 104. To declare and regulate liens for rent of lands and advances to make a crop and enforce the same;

s. No. 64. To establish an inferior court of record for the county of Hale with civil and criminal jurisdiction.

s. No. 308. To require witnesses in criminal cases to prove their attendance in term time.

Were severally read the second time and referred to the Judiciary Committee.

The bill--

H. R. No. 573. To amend paragraph 3 of section 7, chapter 9 of an act to establish a Revenue Code.

And the Senate bill---

s. No. 214. To create a Board of Finance in this State, and prescribe the duties thereof;

Were severally read the second time and referred to the Committee on Ways and Means.

The bill--

H. R. No. 574. To regulate the administration of the general institutions of this State supported in part or whole by public funds;

Was read the second time and referred to the Committee on Public Buildings and Institutions.

The bills---

H. R. No. 569. For the relief of John D. Hudson, former Superintendent of Education for Covington county.

H. R. No. 576. To amend an act for the relief of Ben DeLemos, passed by the Board of Education, approved December 11, 1874.

And the Senate bill---

s. No. 345. To authorize the county superintendent of

Lee county to pay certain debts contracted by the trustees of the public schools of the city of Opelika :

Were severally read the second time and referred to the Committee on Education, with leave to report at pleasure upon the Senate bill No. 345.

The bills---

H. R. No. 571. To allow James M. Roberts, a disabled Confederate, of Cleburne county, to peddle without license.

H. R. No. 575. To repeal an act to prohibit the sale or giving away of vinous, spirituous, or malt liquors, within five miles of certain places therein named in Cherokee county, approved March 29, 1873, so far as it relates to beats 3 and 4 of said county.

H. R. No. 577. To prevent the sale, giving away, or otherwise disposing of spirituous or vinous liquors within the limits of Nanafalia beat, in Marengo county.

And the Senate bills---

s. No. 330. To prevent the sale or giving away of spirituous or intoxicating liquors to persons of known intemperate habits.

s. No. 241. To prohibit the sale, &c., of spirituous liquors, intoxicating bitters, or other intoxicating beverages within three miles of Union Church in Macon county.

s. No. 177. To regulate the terms for the county court for the county of Tuscaloosa, and the trial of misdemeanors therein ;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill---

H. R. No. 578. To change the boundary line between Blount and Jefferson counties ;

Was read the second time and referred to the Committee on Counties and County Boundaries.

The bill---

H. R. No. 570. To extend the provisions of the stock law of Lowndes county to the whole of Letohatchee Beat ;

Was read the second time and referred to a select committee, composed of the representatives from Butler, Lowndes and Crenshaw.

The Senate bill---

s. No. 202. To amend section 1 of an act to authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company, approved March 6, 1876 ;

Was read the second time and referred to a select committee of five.

Committee—Messrs. Rice, Hubbard, Betts, Kennedy and Glennon.

The Senate bill—

s. No. 318. For the relief of the Montgomery Female College, an educational, literary and scientific institution, duly incorporated and exempt from taxation and have refunded the State and county taxes improperly collected on the property of the institution, &c.;

Was read the second time and referred to a select committee of three.

Committee—Messrs. Titcomb, McKleroy and Rice.

The Senate bill—

s. No. 343. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within $3\frac{1}{2}$ miles of the Prattville Male and Female Academy, in the town of Prattville, in the county of Autauga;

Was read the second time.

Mr. Kelly moved to amend so as to exempt native wines grown within the prohibited limits.

Mr. Booth moved to amend by striking out " $3\frac{1}{2}$ miles," and inserting "five miles;"

The bill, with the amendments, was referred to a select committee of five.

Committee—Messrs. Booth, Kelly, Foshee, Welch and McWhorter.

The Senate bill—

s. No. 290. To authorize the mayor and council of the town of Union Springs, Alabama, to adjust or compromise the bonded indebtedness of said town;

Was read the second time and referred to the Committee on Corporations.

The Senate bill—

s. No. 303. For the relief of officers and teachers of public schools;

Was read the second time and referred to the Committee on Education.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, January 29, 1877.

Mr. Speaker:

The Senate has passed House bills as follows:

H. R. No. 367. To require *ex officio* services for which pay is claimed, to be itemized and sworn to.

H. R. No. 134. To enforce the lien given by law to tenants in common on crops grown by them, for advances made by them in certain cases.

And has amended, as therein shown, and passed the following House bills:

H. R. No. 281. To prevent the killing, disabling, disfiguring, destroying or injuring of certain animals.

H. R. No. 85. To declare the obstructions of streams used for floating logs or timber to market a misdemeanor, and to provide a punishment therefor.

H. R. No. 403. To amend an act entitled an act to require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for the filing of the same, approved February 25, 1876.

And has concurred in House amendment to Senate amendment to the bill—

H. R. No. 267. To require emigration agents plying their vocation in Barbour county, and other counties therein named, to pay a license tax.

And has originated and passed bills as follows:

s. No. 271. To prohibit the sale of spirituous or vinous liquors within three miles of the Female Academy at Spring Hill, in Marengo county.

s. No. 300. For the relief of Simeon O'Neal, judge of probate of Russell county.

J. M. CARMICHAEL,
Secretary.

SENATE CHAMBER, January 30, 1877.

Mr. Speaker :

The Senate has originated and passed the following bill:

s. No. 296. To aid in furnishing additional accommodations for indigent insane and idiotic persons, residents of the State of Alabama.

And ordered the same to the House forthwith, without engrossing.

Also passed the bill—

s. No. 194. To provide a remedy to owners and persons having a claim to cotton in the seed, for the recovery of the value thereof.

J. M. CARMICHAEL,
Secretary.

SENATE BILLS ON FIRST READING.

The Senate bills—

s. No. 341. To regulate municipal elections in the State.

s. No. 271. To prohibit the sale of spirituous or vinous liquors within three miles of the Female Academy at Spring Hill, in Marengo county.

s. No. 78. To secure the better protection and government of minors.

s. No. 123. To repeal an act to prescribe the terms on which married women may take appeals to the supreme court, and the effect of such appeals, approved March 9, 1871.

s. No. 334. To provide a biennial appropriation of a sum not to exceed two hundred dollars, to pay the expenses of engraving maps, &c., to illustrate the reports of the State geologist.

s. No. 126. To amend section 2532 of the Revised Code.

s. No. 125. To amend section 2076 of the Revised Code.

s. No. 194. To provide a remedy to owners and persons having a claim to cotton in the seed for the recovery of the value thereof.

s. No. 300. For the relief of Simeon O'Neal, judge of probate, of Russell county ;

Were severally read once and ordered to a second reading on to-morrow.

The House concurred in the amendments of the Senate to the bill—

H. R. No. 9. For the preservation of game, animals and birds in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Wilcox, Perry, Escambia, Hale, Dallas, Montgomery, Greene, Pickens, Butler and Conecuh.

Yeas 77, nays 11.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Muldon, McDavid, McDonald, McDuffie, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake,

Stevens, of Dallas, Stephens, of Perry, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—77.

Nays—Messrs. Beard, Blevins, Cashin, Gilmer, Harrington, Hollis, Jolly, Mayberry, McAdory, McKinstry, Rice,—11.

Also concurred in the amendment of the Senate to the bill—

H. R. No. 266. To amend an act to provide for the impeachment and removal from office of the officers mentioned in section 2 and section 3 of article VII of the Constitution of Alabama.

Yeas 73, nays 10.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—73.

Nays—Messrs. Booth, Cashin, Harris, Johnston, Lewis, Mayberry, Rice, Snoddy, Stevens, of Dallas, and Stephens, of Perry—10.

Also concurred in the amendment of the Senate to the bill—

H. R. No. 85. To declare the obstructions of streams used for floating logs or timber to market a misdemeanor and to provide a punishment therefor.

Yeas 74, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey,

Rodgers, Ross, Saunders, Shields, Smith, Speake, Stephens, of Perry, Taylor, Ussery, Wall, Weatherford, Welch and White.—74.

Nays—Messrs. Stevens, of Dallas, and Titcomb---2.

Also concurred in the Senate amendment to the bill---

H. R. No. 403. To amend an act to require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for filing the same, approved February 25, 1876.

Yeas 78, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood Foshee, George, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---78.

Nay—Mr. Stephens, of Perry—1.

Also concurred in the amendment of the Senate to the bill—

H. R. No. 162. To regulate and define the line between the counties of DeKalb and Marshall.

Yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch and White---75.

On motion of Mr. Betts the bill (with the Senate amendment.)—

H. R. No. 281. To prevent the killing, &c., of certain animals;

Was referred to the Committee of Agriculture and Commerce.

By leave, Mr. Jolly offered the followed resolution, which was adopted:

Resolved, That the regular order of business be suspended in order that the several committees be allowed to report.

Mr. Dillon, from the Committee on Education, reported favorably with amendment to the bill—

H. R. No. 546. To require the Secretary of State to furnish the Agricultural and Mechanical College copies of reports, &c.

Amend by adding after the word "college" "the Deaf, Dumb and Blind Institute at Talladega."

Amend title to correspond.

The amendment was adopted, the bill ordered to a third reading forthwith, read the third time and passed—Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Beard, Beers, Betts, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Harrington, Herndon, Holloway, Jack, Jolly, Jones, Kennedy, Kirkland, Lewis, Manasco, of Walker, McDavid, McDuffie, McFarlane, McKinsty, McKle-roy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—64.

Mr. Jolly, from the Committee on Corporations, reported favorably with amendment to the bill—

H. R. No. 416. To amend section 1798 of the Revised Code.

Amend by striking out the words "such as are authorized by section 1796 of the Revised Code of Alabama," and by inserting in lieu of the words so stricken out the following words, "executed before January 1, 1860."

2. By adding the following proviso: "Provided that nothing contained in this act shall affect any right or lien

of the State of Alabama or derived from said State, or of any county of said State."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed---yeas 69, nays 0.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Holloway, Jack, Jolly, Jones, Kelly, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Rice, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—69.

Also, from same committee, favorably to the Senate bill---

s. No. 192. To amend section 2 of an act to execute the power of disposal of the lands granted by an act of Congress, entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the Legislature of Alabama, by said act of Congress, approved February, 10, 1876.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 69, nays 0.

Yeas—Messrs. Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Winston, Muldon, McAdory, McDuffie, McFarlane, McWhorter, Prowell, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—69.

Also, favorably to the Senate bill---

s. No. 147. To amend section 1779 of the Revised Code;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 70, nays 0.

Yeas---Messrs. Allen, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDuffie, McFarlane, McMath, McWhorter, Prowell, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---70.

Also, favorably to the Senate bill---

S. No. 156. To incorporate the Alabama Immigration Company;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 65, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Shields, Smith, Speake, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch, White---65.

Also, favorably with amendment to the bill---

H. R. No. 446. To amend so as to define more clearly the meaning of an act approved December 17, 1873, to constitute the purchaser of any railroad, hereafter sold under authority of any law of this State, a body corporate and politic.

Amend by adding, "and this amendment shall apply to purchasers and organizations heretofore made."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed---yeas 74, nays 2.

Yeas---Messrs. Allen, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Cald-

well, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Hansburger, Harris, Herndon, Holloway, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---74.

Nays—Messrs. Fletcher and Harrington—2.

Also, favorably with amendment to the bill---

H. R. No. 329. To amend section 13 of an act, approved January 20, 1870, to incorporate the town of Scottsboro, in the county of Jackson.

Amend by adding: Provided further, that any person not paying said five dollars, and failing, on notice, to work said streets, shall be proceeded against in the same manner as now provided by law, for like defaults in working the public roads, and be liable to the same penalties.

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed---Yeas 74, nays 0.

Yeas---Messrs. Allen, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Hansburger, Harris, Herndon, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---74.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 30, 1877.

Mr. Speaker :

The Senate has adopted a joint resolution raising joint committee on adjournment.

Committee on part of Senate—Messrs. Hargrove and Wood; and ordered the same to House forthwith.

And has originated and passed the following bill, and ordered the same sent forthwith to the House without engrossment.

s. No. 296. To aid in furnishing additional accommodations for indigent insane and idiotic persons, residents of the State of Alabama.

J. M. CARMICHAEL,
Secretary.

The Senate joint resolution just received was taken up and concurred in—

Committee on the part of the House—Messrs. Jolly, Dillon and Hansburger.

The Senate bill just received, (S. 296,) was read once and ordered to a second reading on to-morrow.

ENOLLED BILLS SIGNED.

Mr. Fletcher from the committee on enrolled bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after their titles had been publicly read, signed said bills—

H. R. No. 129. To define and regulate the responsibilities of railroads for damages to live stock or cattle of any kind.

H. R. No. 162. To regulate and define the line between the counties of DeKalb and Marshall.

H. R. No. 267. To require Emigration agents plying their vocation in Barbour county, and other counties therein named to pay a license tax.

The Speaker also in the presence of the House and immediately after the titles had been publicly read, signed the following Senate bills---

s. No. 252. To amend section 67, of the act entitled an act to establish a new charter for the city of Selma, approved March 8th, 1875.

s. No. 185. To regulate the terms of the courts of the third judicial circuit.

s. No. 239. For the releif of James T. Holtzclaw, surviving partner of the firm of Judge & Holtzclaw.

REPORTS RESUMED.

Mr. Jolly from the committee on Corporations reported

favorably, with amendment to the bill—

H. R. No. 448. To incorporate the Fowl River Improvement and Navigation Company of Mobile.

Amend by additional section, numbered 7;

The amendment was adopted, and the bill ordered to a third reading forthwith, read the third and passed---yeas 72, nays 1.

Nays—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, White—72.

Nay---Mr. Rice.

On motion of Mr. Jolly, the Senate bill---

s. No. 143. To incorporate the Deshler Female Institute, at Tuscumbia, Alabama, was taken up.

By leave, Mr. Jolly withdrew the amendments reported on the 12th inst.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 68, nays 0.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Espy, Forwood, Foshee, George, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Townsend, Ussery, Wall, and Welch---68.

Mr. Jolly, from the committee on Corporations, reported favorably to the Senate bill---

s. No. 2. To authorize and empower the Mayor and

Council, of the town of Union Springs, to levy and collect a license in certain cases.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 67, nays 1.

Yeas---Messrs. Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Dillon, Doster, Forwood, Foshee, George, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Lewis, Manasco, of Winston, Mott, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch---67.

Nay---Mr. Blevins---1.

Also favorably to the bill---

H. R. No. 344. To repeal an act, to authorize and require the Mayor and Council, of the town of Union Springs, to levy and collect a tax, to pay the bonds issued by the corporate authorities of said town, approved December 16th, 1871.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 64, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Forwood, Foshee, George, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Mayberry, Manasco, of Winston, Mott, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Rodgers, Ross, Saunders, Smith, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---64.

Also favorably to the Senate bill---

s. No. 299. To authorize in the sale of the Briarfield Iron Works, property of Bibbcounty, the sale and transfer of the franchise appertaining to the company heretofore incorporated for the management of said property.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 70, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Betts, Bishop,

Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Rodgers, Ross, Saunders, Shields, Smith, Speake, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White
--70.

Also adversely to the bill—

H. R. No. 213. To provide for the payment of the indebtedness of municipal corporations, cities and towns;

Which was concurred in.

Also from same committee, favorably to the Senate bill—

s. No. 284. To amend section one of an act to amend the charter of the city of Montgomery and the various laws heretofore passed amending the said charter, approved March 3, 1870.

On motion of Mr. Rice, the further consideration of the bill was postponed and made the special order for Thursday next, 10 A. M.

By leave Mr. DeLemos introduced a bill—

H. R. No. 579. To require the collection of certain school monies belonging to township 14, range 13, Lowndes county, and payment of the same into the State treasury;

Which was read once and ordered to a second reading on to-morrow.

Mr. Herndon, from Judiciary Committee, reported favorably to the Senate bill—

s. No. 325. To adopt a code of laws for the State of Alabama.

On motion of Mr. Herndon, the further consideration of the bill was postponed until half past 3 this evening.

On motion of Mr. Jolly, the House took a recess until 3½ P. M.

EVENING SESSION.

The House met pursuant to adjournment.

By leave bills were introduced.

By Mr. Darden—

H. R. No. 580. To amend section 3862 of the Revised Code.

By Mr. Titcomb—

H. R. No. 581. To consolidate the offices of circuit clerk and tax assessor in and for the county of Escambia.

By Mr. Welch, (with evidence of publication of notice, &c.—

H. R. No. 582. To incorporate Bethany and Rehoboth churches in Elmore county.

By Mr. McWhorter, (with evidence of publication of notice) --

H. R. No. 583 To repeal an act approved December 17, 1873, so far as it relates to Notasulga Academy, in Macon county ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Dean, from select committee, reported favorably to the Senate bill—

s. No. 274. To add the counties of Cherokee, and Eto-wah to the Northern Chancery Division, and fix the time for holding the court therein.

Mr. Fletcher moved to amend by way of a substitute.

On motion of Mr. Dean, the bill with the amendment was recommitted.

The special order for half past three, viz: (Senate bill No. 325,) was postponed until half past four this evening.

REPORTS FROM COMMITTEES.

Mr. Jolly, from the Committee on Corporations, reported favorably with amendments to the bill—

H. R. No. 434. To incorporate the town of Anniston in the county of Calhoun.

Amend sec. 3 by striking out all after the word "to" in the 13th line and insert "municipal corporations."

Amend section 4 by inserting between the words "persons" and "who," in 7th line, the words "living within the corporate limits," also, by striking out all of the last part of said section 4 after the word "corporation" in line 21.

The amendments were adopted and the bill ordered to

a third reading forthwith, read the third time and passed—yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Robinson, Rodgers, Ross, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—72.

Also, from same committee, favorably with amendment to the bill—

H. R. No. 562. To regulate municipal elections in the city of Birmingham, and to prescribe the qualifications of electors at the same.

Amend by striking out section 2.

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed—yeas 80, nays 0.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kirkland, Lewis, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—80.

Also favorably to the Senate bill—

s. No. 220. To amend the ninth, twelfth, and fifteenth sections of an act to incorporate the city of Greenville, approved March 9, 1871.

The bill was ordered to a third reading forthwith, read

the third time and passed—Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, DeLemos, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kelly, Kirkland, Lewis, Manasco, of Winston, Muldon, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—70.

On motion of Mr. Stevens, of Coffee, the Senate bill No. 325 was made the special order for 10 to-morrow morning.

Mr. Brown, from the Committee on Local Legislation, reported a substitute for the bill—

H. R. No. 202. To punish certain persons for taking up stock in certain cases, in any agricultural districts in this State.

The substitute entitled an act to prescribe the manner of taking up certain stock found trespassing within the canebrake agricultural district, established by an act of the General Assembly, approved 20th February, 1866.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed—Yeas 66, nays 3.

Yeas—Messrs. Speaker, Allen, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Denman, Dillon, Doster, Espy, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grové, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Kelly, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—66.

Nays—Messrs. Gilmer, Hudson, Johnston—3.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 30, 1877.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives :

No. 162. An act to regulate and define the line between the counties of DeKalb and Marshall.

No. 398. An act to authorize the city of Huntsville to levy a special tax.

No. 267. An act to require emigration agents plying their vocation in Barbour county, and other counties therein named, to pay a license tax.

Respectfully,

IKE H. VINCENT,
Private Secretary.

REPORTS FROM COMMITTEES RESUMED.

Mr. Brown, from same committee, reported favorably to the bill—

H. R. No. 327. To repeal so much of an act to prohibit the sale or giving away of liquors within three miles of Oak Bowery and Bethel Methodist churches, in Butler county, Alabama, as relates to Oak Bowery church.

Mr. Harris moved that the House do not concur in the report.

Mr. Stevens, of Coffee, called for the previous question.

The call was sustained, and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 55, nays 20.

Yeas—Messrs. Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, DeLemos, Dillon, Espy, Fletcher, Forwood, Gilchrist, Goldthwaite, Glennon, Gray, Griffin, Herndon, Hobson, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Rice, Rodgers, Smith, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—55.

Nays---Messrs. Allen, Crump, Darden, Doster, Foshee,

Gibson, Gilmer, Glenn, Grove, Harris, Harrington, Holloway, Lewis, Ross, Saunders, Snoddy, Stevens, of Dallas, Stephens, of Perry, Townsend—20.

Also, from same committee, reported favorably to the bill—

H. R. No. 351. To repeal an act to declare Pea river, between Russell's and Winslow's bridges a lawful fence ;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 65, nays 2.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, McAdory, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Robinson, Ross, Saunders, Shields, Smith, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford Welch, White—65.

Nays—Messrs. Lewis and Stephens, of Perry—2.

Also, from same committee, favorably to the bill—

H. R. No. 396. For the relief of Elijah M. Burton, sheriff of Tuscaloosa county;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 65, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Hollis, Holloway, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, Prowell, Rodgers, Ross, Saunders, Shields, Smith, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, and White—65.

Nays—Messrs. Mayberry, Stephens, of Perry, and Titcomb—3.

By leave, Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill—

H. R. No. 468. To repeal an act to compensate jurors and witnesses in Monroe county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 66, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Winston, Mott, McAdory, McDavid, McDuffie, McKinstry, McKleroy, Prowell, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Weatherford, White---66.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 486. To change the name of Sanford county.

Mr. Beers moved to amend by striking out "Lamar" and inserting "King."

Adopted.

On motion of Mr. Jolly, the bill was laid on the table.

Mr. Ross, from select committee, reported favorably to the bill—

H. R. No. 555. To authorize and empower the court of county commissioners of Tallapoosa county to levy a special tax at special term of said court.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 65, nays 0.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Holloway, Hudson, Jack, Jackson, Jones, Kelly, Kirkland, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, White---65.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the

Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills:

H. R. No. 85. To declare the obstructing of streams used for floating logs or timber to market a misdemeanor, and to provide a punishment therefor;

H. R. No. 103. To amend section 1 of an act, approved 27th of January, 1876, entitled an act to amend section 43 of an act to regulate elections in the State of Alabama, approved 3d of March, 1875;

H. R. No. 134. To enforce the lien given by law to tenants in common on crops grown by them for advances made by them in certain cases;

H. R. No. 367. To require *ex-officio* services for which pay is claimed to be itemized and sworn to.

H. R. No. 403. To amend an act entitled an act to require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for the filing of the same, approved February 25, 1876.

Leave of absence was granted Mr. Denson for five days.

Also, to Mr. Blevins, commencing with to-morrow, for three days.

On motion of Mr. Brown, the House adjourned until to-morrow morning, 9½ o'clock.

FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,

Wednesday, January 31, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Win-

ston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—

Journal of yesterday read and approved.

Mr. Rice, from special committee, reported favorably to the Senate bill—

s. No. 202. To amend section 1 of an act to authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company, approved March 6, 1876;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 80, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Booth, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—80.

Nays—Messrs. Mott, Stevens, of Dallas, White—3.

Mr. Titcomb, from select committee, reported favorably to Senate bill—

s. No. 318. For the relief of the Montgomery Female College, an educational, literary and scientific institution, duly incorporated and exempt from taxation and to have refunded the State and county taxes improperly collected on the property of the institution during the years 1869 to 1875;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson,

Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Rice, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—75.

Mr. Jolly, from Committee of Conference, made the following report, which was read, and the resolution adopted: *To the President of the Senate and Speaker of the House of Representatives:*

The joint committee to whom was referred the joint resolution as to the day when the General Assembly shall adjourn, have had the same under consideration, and instruct me to report that the committee have not as yet agreed upon the day when it will be expedient to adjourn, and ask further time to consider the subject.

The committee, however, have concluded that an adjournment can be had at some early day if the work of the Senate and House of Representatives is devoted to the completion of unfinished business, and have agreed upon the following resolutions, and ask their adoption:

Resolved, 1. That the regular order of business of the Senate and House of Representatives be suspended, and that the committees shall, in regular order, first report all bills in their hands of a general nature, and after such bills shall be acted on, other bills in the hands of the committees shall be taken up and acted on in their regular order. This, however, not to interfere with special orders.

2. That no other bills shall be introduced in the Senate or House of Representatives, and that the balance of the session shall be devoted exclusively to the disposition of unfinished business.

JNO. J. JOLLY,
Secretary.

On motion of Mr. Jolly, the bill—

H. R. No. 486. To change the name of the county of Sanford;

Was taken from the table.

On motion of Mr. Jolly, the amendment striking out "Lamar" and inserting "King;"

Was reconsidered.

On motion of Mr. Jolly, the amendment was laid on the table.

The bill was then ordered to a third reading, read third time and passed and ordered forthwith to the Senate—Yeas 73, nays 9.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Bishop, Booker, Booth, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Herndon, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Towusend, Ussery, Wall, Welch—73.

Nays—Messrs. Beers, Betts, Cashin, Harris, Harrington, Johnston, Lewis, Mayberry, Stevens of Dallas—9.

Mr. DeLemos, from special committee, reported favorably to the bill—.

H. R. No. 570. To extend the provisions of the stock law of Lowndes county to the whole of Letohatchie beat.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 75, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Walker, Muldon, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Townsend, Ussery, Wall, and Welch—75.

Nays—Messrs. Cashin, Gilmer and Harris—3.

SIGNING SENATE BILLS.

The Speaker in the presence of the House and immedi-

ately after the titles thereof had been publicly read, signed the following bills:

s. No. 286. To amend section 1 of "an act entitled an act to establish a State Normal School and University for the education of colored teachers and students," approved 6th March, 1873, and amended by an act of the school board, December 15, 1874.

s. No. 192. To amend section 2 of an act to execute the power of disposal of the lands granted by an act of Congress entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3, 1856, which power of disposal is conferred upon the Legislature of Alabama by said act of Congress, approved February 10, 1876.

By leave, Mr. McMath introduced bill--

H. R. No. 584. To prescribe the time of holding the summer terms of the 1st, 16th, 13th, 3d and 12th chancery districts of the Eastern Chancery Division;

Which was read once and ordered to a second reading on to-morrow.

BILLS ON SECOND READING.

The bills--

H. R. No. 582. To incorporate Bethany and Rehoboth Churches, in Elmore county;

H. R. No. 583. To repeal an act, approved December 17, 1873, so far as it relates to Notasulga Academy, in Macon county;

Were severally read the second time and referred to the Committee on Local Legislation.

The Senate bill--

s. 271. To prohibit the sale of spirituous or vinous liquors within three miles of the Female Academy at Spring Hill, in Marengo county;

Was read the second time.

Mr. George moved to amend by adding "and within the limits of Nanafalia beat, in said county.

The bill, with amendment, was referred to Committee on Local Legislation.

The bill--

H. R. No. 579. To require the collection of certain school moneys belonging to township 14, range 13, Lowndes county, and payment of the same into the State Treasury;

Was read the second time and referred to the Committee on Education, with leave to report at pleasure.

The bill—

H. R. No. 580. To amend section 3862 of the Revised Code;

Was read the second time and referred to the Committee on the Penitentiary.

The bill—

H. R. No. 581. To consolidate the offices of circuit clerk and tax-assessor in and for the county of Escambia;

And the Senate bills---

s. No. 123. To repeal an act to prescribe the terms on which married women may take appeals to the Supreme Court, and the effect of such appeals, approved March 9, 1871;

s. No. 78. To secure the better protection and government of minors;

s. 194. To provide a remedy to owners and persons having a claim to cotton in the seed for the recovery of the value thereof;

s. No. 125. To amend section 2076 of the Revised Code;

s. No. 126. To amend section 2532 of the Revised Code;

Were severally read the second time and referred to the Judiciary Committee;

The Senate bill---

s. No. 334. To provide a biennial appropriation of a sum not to exceed two hundred dollars to pay the expense of engraving, &c., to illustrate reports of State Geologist;

Was read the second time and referred to the Committee on Appropriations.

The Senate bill---

s. No. 341. To regulate municipal elections in the State of Alabama;

Was read the second time and referred to the Committee on Privileges and Elections.

The Senate bill---

s. No. 296. To aid in furnishing additional accommodations for indigent, insane, and idiotic persons residents of the State of Alabama;

Was read the second time and referred to a select committee of five;

Committee, Messrs. Brown, Herndon, McMath, Cunningham, of Monroe, and Jackson.

The Senate bill---

s. No. 300. For the relief of Simeon O'Neal, Judge of Probate of Russell county;

Was read the second time, and referred to the Committee on Finance.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 31, 1877.

Mr. Speaker:

The Senate has concurred in the House amendment to the Senate bill---

s. No. 185. To regulate the terms of the courts of the third judicial circuit.

And has passed House bill---

H. R. No. 550. To authorize the people of Franklin county to vote on the question of removing the county seat of said county, on the 4th Saturday in March, 1877, if said election shall not be held at an earlier day.

And has originated and passed bills as follows:

s. No. 231. To provide for the collection of delinquent taxes.

s. No. 269. To amend sub-division 10 of section 4 of chapter 3 of the act entitled an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

s. No. 313. To restrain and prevent judicial and ministerial officers from going bail for prisoners or other persons tried before them, or in their charge.

s. No. 207. To authorize the Governor to fill vacancies in the offices of circuit solicitors, coroners, and justices of the peace.

J. M. CARMICHAEL,
Secretary.

SENATE CHAMBER, January 31, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills:

s. No. 320. To authorize and empower the commissioner, appointed under an act, approved December 14th, 1876, entitled an act to provide for the appointment of a commissioner to complete the adjustment of all claims against the State of Alabama, arising from bonds issued or en-

dorsed in the name of the State of Alabama, to adjust certain claims against the State.

s. No. 339. To authorize the Governor to perform, in certain cases, the duties of commissioner, appointed under an act approved December 14, 1876, entitled an act to provide for the appointment of a commissioner to complete the adjustment of all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State.

J. M. CARMICHAEL.

Secretary.

The House then proceeded to the consideration of the bill---

H. R. No. 331. To amend section 1 of an act for the relief of maimed soldiers.

By leave, Mr. Cunningham withdrew his amendment, and the bill was ordered to a third reading forthwith, read the third time and passed--Yeas 71, nays 3.

Yeas--Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Booth, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denison, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Jackson, Jones, Kelly, Kennedy, Kirkland, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Ussery, Weatherford, Welch and White--71.

Nays--Messrs. Blevins, Cashin and Stephens, of Perry--3.

The special order for 10 A. M. was then taken up, viz.: the Senate bill---

s. 325. To adopt a code of laws for the State of Alabama.

Mr. Kennedy moved to amend by adding the following: "That the adoption and enactment of said Code shall in no wise repeal or affect a certain act entitled an act to provide for the collection of taxes levied for certain purposes therein named, approved March 18, 1875, omitted from said Code."

The amendment was adopted and the bill ordered to a

third reading forthwith, read the third time and passed---
Yeas 73, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Ussery, Wall, Welch and White---73.

Mr. Herndon, from the Judiciary Committee, reported favorably, with amendment, to the Senate bill---

s. No. 324. To require the present commissioners on the revision of the statutes to codify the acts of the present session of the General Assembly, to supervise the publication of the Code adopted at the present session of the General Assembly.

Amend by inserting in the 11th line, section 1, after the word "session" and before the word "property," the following: "And all laws of a public, general and permanent nature, now in force and not incorporated in the work, as reported by the said commissioners."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed---
Yeas 77, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Beard Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Rice, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White---77.

Mr. Herndon, from same committee, reported favorably with amendments to the Senate bill---

s. No. 326. For the publication of the Code of Alabama.

The amendments are as follows:

1st. Amend section 2 of the bill by striking out the word "eleven" and inserting "ten."

2d. Amend same section by striking out the word "five" where it occurs in 2d and 14th lines.

3d. In section 6, 5th line, strike out the word "three" and insert "two;" in 7th line strike out "four" and insert "two;" strike out that part of said section from the word "and" in the 9th line to the word "each" in 17th line inclusive; and strike out all of said section after the word "deliver" in 17th line, and insert in lieu thereof the words: "to the librarian of the supreme court, ten copies for the use of the library."

4th. In section 7 strike out in the 4th and 5th lines the words "clerk of any court of record," and insert the words "clerks of the circuit and city courts."

Also, in the 5th line, strike out the word "sheriff" and insert the word "and."

Also, in same section, strike out all of said section, from the word "each" in the 6th line to the word "peace" in the 8th line.

5th. Amend section 8, by way of substitute,

6th. Amend section 11th, by way of substitute.

The first, second, third, fifth and sixth amendments were severally adopted.

That part of the 4th amendment, inserting the words "clerks of the circuit and city courts" in lieu of "clerk of any court of record" was adopted.

The House refused to adopt the amendment striking out the word "sheriff."

Mr. Dillon moved to amend that part of 4th amendment relating to justices of the peace, &c., by way of substitute, as follows:

Provided that justices of the peace and notaries public with the jurisdiction of justices of the peace may be entitled to purchase a code for his own use at one half the price fixed by this act.

Lost.

Mr. Stevens, of Coffee, moved to lay on the table that part of 4th amendment striking out the words: "each jus-

tice of the peace and each notary public with the jurisdiction of justices of the peace."

Mr. McKleroy called for a division of the question ;

And the vote being taken on laying on the table, the amendment striking out the words "each justice of the peace."

Carried---yeas 56, nays 31.

Yeas---Messrs. Allen, Baker, Baxter, Beard, Betts, Bishop, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gray, Griffin, Hansburger, Hobson, Hollis, Holloway, Jack, Jackson, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, and Welch---56.

Nays---Messrs. Speaker, Baldwin, Booker, Cashin, Cunningham, of Monroe, DeLemos, George, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Grove, Harris, Harrington, Herndon, Hubbard, Hudson, Jolly, Johnston, Mayberry, Muldon, McAdory, McMath, Prowell, Rice, Snoddy, Speake, Stevens, of Dallas and Stephens, of Perry---31.

The House refused to lay on the table the amendment so far as it strikes out the words "and each notary public with the jurisdiction of a justice of the peace."

And the said amendment was adopted.

Mr. DeLemos moved to amend by additional section as follows :

"Be it further enacted that the printing of this Code shall be let to the lowest bidder ;"

Which, on motion of Mr. Herndon, was laid on the table.

The bill was then ordered to a third reading forthwith, and read the third time.

Mr. Rice moved to recommit the bill to the Committee.

The Speaker ruled that the motion could not be entertained unless the vote ordering the bill to a third reading forthwith was reconsidered.

Mr. Rice appealed from the decision of the chair.

The Chair was sustained---yeas 70, nays 7.

Yeas---Messrs. Allen, Baker, Baxter, Beard, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden,

Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Titcomb, Ussery, Wall, Weatherford, Welch---70.

Nays—Messrs. Baldwin, Blevins, Johnston, Mayberry, Rice, Stevens, of Dallas, and Stephens, of Perry—7.

The bill passed—yeas 70, nays 8.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, and Welch—70.

Nays—Messrs. Cashin, Gilmer, Gullett, Johnston, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry—8.

SENATE BILLS ON FIRST READING.

The Senate bill—

s. No. 320. To authorize and empower the commissioners appointed under an act approved December 14th, 1876, entitled an act to provide for the appointment of a commissioner to complete the adjustment of all claims against the State, &c., to adjust certain claims against the State.

s. No. 339. To authorize the Governor to perform in certain cases the duties of commissioner appointed under an act approved December 14, 1876, entitled an act to provide for the appointment of a commissioner to complete the adjustment of all claims against the State, &c.

s. No. 269. To amend subdivision 10 of section 4 of chapter 3 of the act to establish a Revenue Code.

s. No. 313. To restrain and prevent judicial and ministe-

rial officers from going bail for prisoners or other persons tried before them or in their charge.

s. No. 207. To authorize the Governor to fill vacancies in the offices of circuit solicitors, coroners and justices of the peace.

s. No. 231. To provide for the collection of delinquent taxes;

Were severally read once and ordered to a second reading on to-morrow.

REPORTS FROM STANDING COMMITTEES.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill--

H. R. No. 426. To repeal an act to authorize the commissioners court of Barbour county to levy a tax for county purposes, approved December 7, 1866.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 72, nays 0.

Yeas—Messrs. Allen, Beard, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilmer, Goldthwaite, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford and Welch---72.

Also, from same committee, favorably to the bill—

H. R. No. 375. To incorporate Hopewell church, in Bullock county, Alabama, and to prohibit the sale of spirituous liquors within a mile and a half of said church.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 62, nays 1.

Yeas—Messrs. Allen, Baxter, Beard, Betts, Booker, Butler, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Johnston, Kirkland,

Manasco, of Winston, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Rodgers, Ross, Saunders, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch---62.

Nays---Mr. Manasco, of Walker---1.

Also, favorably to the bill—

H. R. No. 491. To prevent the sale of spirituous, vinous or malt liquors within three miles of Pine Apple, Wilcox county;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 63, nays 1.

Yeas---Messrs. Allen, Baldwin, Baxter, Beard, Betts, Booker, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Welch---63.

Nay---Mr. Manasco, of Walker---1.

Also, favorably to the bill—

H. R. No. 399. To repeal an act to prohibit the sale, or giving away of vinous or spirituous liquors in certain cases, approved April 13, 1873, and an act amendatory of section 1 of the same, approved March 7, 1876, so far as the same relate to the county of Shelby;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 51, nays 1.

Yeas---Messrs. Allen, Baxter, Beers, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Denman, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gilchrist, Gullett, Glenn, Glennon, Gray, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, Prowell, Ramsey, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Taylor---51.

Nay---Mr. Darden.

Also, favorably to the bill---

H. R. No. 296. To repeal an act to amend section 1 of

an act to prohibit the sale or giving away of spirituous or vinous liquors in certain cases, approved March 7, 1876.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 65, nays 9.

Yeas---Messrs. Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Caldwell, Cunningham of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Glenn, Glennon, Gray, Griffin, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch---65.

Nays---Messrs. Brown, Crump, Gilmer, Grove, Harris, Lewis, Snoddy, Stevens, of Dallas, Stephens, of Perry---9.

Also, favorably to the bill---

H. R. No. 392. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within one mile of Bethany church, in Pickens county;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 69, nays 1.

Yeas---Messrs. Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Ussery, Wall, Welch---69.

Nays---Mr. Manasco, of Walker---1.

Also, favorably to the bill---

H. R. No. 397. To hold a special election in the county of Washington, to ascertain the will of the people as to changing the location of the county seat;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 67, nays 0.

Yeas---Messrs. Allen, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cashin, Cuning-

ham, of Lauderdale, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Fosbee, George, Gibson, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch—67.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Jan. 31, 1877.

Mr Speaker :

The Governor has approved the following bills, which originated in the House of Representatives :

No. 134. An act to enforce the lien given by law to tenants in common on crops grown by them for advances made by them in certain cases.

No. 85. An act to declare the obstructing of streams used for floating logs or timber to market a misdemeanor, and to provide a punishment therefor.

No. 103. An act to amend section 1 of an act approved 27th of January, 1876, entitled an act to amend section 43 of an act to regulate elections in the State of Alabama, approved 3d of March, 1875.

No. 403. An act to amend an act entitled an act to require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for the filing the same, approved February 25, 1876.

No. 367. An act to require *ex officio* services for which pay is claimed to be itemized and sworn to.

Very respectfully,

IKE H. VINCENT,
Private Secretary.

On motion of Mr. Brown, the House took a recess until 3½ o'clock P. M.

EVENING SESSION.

The House reassembled at 3½ P. M.

Mr. DeLemos moved to suspend the regular order of business to allow each member to introduce one bill.

Lost.

Mr. Brown, from committee on Local Legislation, reported a substitute for the bill—

H. R. No. 516. To authorize the city council of Eufaula to adjust, and settle, all claims of indebtedness now outstanding against said city.

The substitute was adopted---

The bill ordered to a third reading forthwith, read third time and passed, and ordered forthwith to the Senate—Yeas 66, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Darden, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Gibson, Gilmer, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Winston, Mott, Muldon, McDavid, McDuffie, McFarlane, McKleroy, McMath, Prowell, Ramsey, Rice, Robinson, Saunders, Smith, Snoddy, Speake, Taylor, Ussery, Wall, Weatherford, White—66.

Also, reported favorably with amendment to the Senate bill---

s. No. 119. To amend an act to prevent camp hunting in the counties of Blount, Marion, and Winston, approved February 23, 1875.

Amend by adding at the close of section 2; provided the provisions of this act shall not apply to the county of Marion.

The amendment was adopted, the bill ordered to a third reading forthwith, read the third time and passed--- yeas 66, nays 5.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy,

Kirkland, Lewis, Mott, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford and White—66.

Nays—Messrs. Baldwin, Mayberry, Manasco, of Winston, Stevens of Dallas, Stephens, of Perry—5.

Also, favorably to the bill—

H. R. No. 523. To incorporate the Macedonia church, colored, in Pickens County.

The bill was ordered to a third reading forthwith, read third time and passed—yeas 74, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, McDavid, McDuffie, McFarlane, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and White.—74.

Also favorably to the bill—

H. R. No. 438. To repeal an act to authorize the commissioners court of Franklin, and other counties therein named, to lay off their respective counties into four commissioners districts, approved February 16th, 1875, in so far as the same applies to Jackson county.

The bill was ordered to a third reading forthwith, read third time and passed—yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Muldon, McDavid, McDuffie, McFarlane, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake,

Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—75.

Also, reported favorably to the bill—

H. R. No. 531. To authorize and require the Secretary of State to deliver to the probate judge of Cullman county certain books therein named.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hernon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, McDavid, McFarlane, McKleroy, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---75.

Also favorably to the bill—

H. R. No. 427. For the relief of D. H. Lorn.

Mr. Harris moved to lay the bill on the table.

Lost.

The bill was ordered to a third reading forthwith, read third time and passed---yeas 59, nays 16.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Gullett, Glenn, Griffin, Grove, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, McDavid, McFarlane, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Smith, Speake, Taylor, Titcomb, Townsend, Wall, Welch, White---59.

Nays—Messrs. Bishop, Booth, Cashin, Gibson, Gilmer, Glennon, Gray, Hansburger, Johnston, Lewis, Mayberry, Ross, Snoddy, Stevens, of Dallas, Stephens, of Perry and Ussery—16.

Also, favorably to the bill---

H. R. No. 502. To amend an act entitled an act to authorize the commissioners court of Franklin and other

counties therein named to lay off their respective counties into four commissioners districts.

Mr. McFarlane moved to amend by striking out Jackson.

Adopted.

Mr. Jackson moved to amend by inserting Morgan.

Adopted.

The bill was then ordered to a third reading forthwith, read the third time and passed—yeas 73, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Gray, Griffin, Grove, Hansburger, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—73.

Also, reported favorably to the bill—

H. R. No. 465. To prevent camp hunting in DeKalb county.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 66, nays 2.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Gray, Griffin, Grove, Harris, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, Wall, Weatherford and Welch—66.

Nays—Messrs. Lewis and Saunders, —2.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 31, 1877.

Mr. Speaker :

The Senate has originated and passed the following bill, and ordered the same forthwith to the House without engrossment.

s. No. 180. To carry into effect the intention of the Congress of the United States in its donation of certain lands, or land scrip to the Legislature of the State of Alabama by the act approved July 2, 1862.

And has adopted the following joint resolution in relation to the boundary line between the State of Alabama and the State of Georgia :

And has originated and passed the bill---

s. No. 292. For the relief of Thos. J. Nicholson of DeKalb county ;

And ordered the same to the House forthwith without engrossment.

J. M. CARMICHAEL,
Secretary.

On motion of Mr. Holloway, the regular order of business was suspended, and the Senate bill---

s. No. 180. To carry into effect the intention of Congress of the United States in its donation of certain lands or land scrip to the Legislature of the State of Alabama by the act approved July 2, 1862 ;

Was taken up, read once and ordered to a second reading on to-morrow.

On motion of Mr. McMath, the Senate bill---

s. No. 292. For the relief of Thomas J. Nicholson, of DeKalb county.

Was taken up read once and ordered to a second reading on to-morrow.

Mr. Brown, from Committee on Local Legislation, reported favorably to the bill---

H. R. No. 345. For the relief of Young C. Hall, administrator of the estate of Joseph Hall, in the county of Baldwin.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 63, nays 2.

Yeas---Messrs. Allen, Baker, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump,

Dean, Denman, DeLemos, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffiin, Grove, Harris, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, McAdory, McDavid, McDuffie, McFarlane, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Smith, Speake, Titcomb, Townsned, Ussery, Wall, Weatherford and Welch 63.

Nays---Messrs. Lewis and Stephens, of Perry---2.

Also, favorably to the Senate bill---

s. No. 109. To furnish weights and measures to counties where the same are destroyed, and to new counties.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 64, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Beard, Beers, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ross, Saunders, Smith, Snoddy, Titcomb, Townsend, Ussery, Wall, and Welch---64.

Also, favorably to the bill---

H. R. No. 533. To amend section 1 of an act for the relief of Hiram Gibson, of Jackson county, approved March 3, 1871.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 64, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Harris, Harrington, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, McAdory, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall and Welch,---64.

Also, favorably to the Senate bill---

s. No. 243. For the relief of John Kehoe, a citizen of Tuscaloosa county.

The bill was ordered to a third reading forthwith, read the third time and passed---yeas 63, nays 7.

Yeas---Messrs. Speaker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch---63.

Nayes---Messrs. Allen, Baker, Baldwin, Brodnax, Snoddy, Stevens, of Dallas, and Stephens of Perry---7.

Also favorably to the bill---

H. R. No. 452. For the relief of L. M. Wofford for bringing prisoner from Mississippi.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 65, nays 0.

Yeas---Messrs. Speaker, Allen, Baxter, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Crews, Dean, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---65.

Also, favorably to the bill---

H. R. No. 553. To empower the court of county commissioners of Choctaw county to levy a special tax for the purpose of building bridges and repairing same.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 66, nays 0.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Dean, Denman, DeLemos, Dillon, Doster,

Espy, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDuffie, McFarlane, McKinstry, McMath, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch and White—66.

Also, favorably to the bill—

H. R. No. 425. To grant manufacturers of woolen goods beyond the State the privilege of bartering or selling such goods in Jackson county without a license.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 69, nays 0.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Dillon, Doster, Espy, Forwood, Foshee, George, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch and White.--69.

Also, reported favorably to the bill—

H. R. No. 514. For the relief of the tax-payers of Washington county.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 68, nays 1.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McFarlane, McKinstry, McKleroy, McWhorter, Robinson, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend,

Ussery, Wall, Weatherford, Welch, White---68.
Nays---Mr. Stephens, of Perry---1.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills—

H. R. No. 9. For the preservation of game, animals and birds in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale, Dallas, Montgomery and Greene.

H. R. No. 259. To reorganize the San Juan Mining Company of Mobile, and to extend the powers thereof.

H. R. 167. To amend section 3625 of the Revised Code.

H. R. No. 550. To authorize the people of Franklin county to vote on the question of removing the county seat of said county on the 4th Saturday in March, 1877, if such election shall not be held at an earlier day.

By leave, the following bills were introduced :

By Mr. McAdory---

H. R. No. 585. To amend section 2, chapter 5, of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

By Mr. McFarlane---

H. R. No. 586. For the relief of William I. Kirk, late sheriff of Jackson county.

By Mr. Muldon---

H. R. No. 587. To fix the rate of taxation on banks chartered by and organized under the laws of this State, in lieu of any bonus now required to be paid by them, and to prescribe the mode of paying the same.

By Mr. Herndon---

H. R. No. 588. To authorize and regulate municipal taxation in the city of Mobile.

By Mr. DeLemos---

H. R. No. 589. To repeal an act to prohibit the sale of liquors within certain places therein named in Lowndes county, approved December 13, 1873.

By Mr. Harris---

H. R. No. 590. To discourage malicious and frivolous prosecutions before justices of the peace.

By Mr. Gibson---

H. R. No. 591. To change the county line between the counties of Clay and Tallapoosa.

By Mr. Jackson—

H. R. No. 592. To amend section 2351 (1916) of the Revised Code.

Also,

H. R. No. 593. To amend section 2992 (2564) of the Revised Code.

Which bills were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Speake, the House adjourned until to-morrow morning, 9½ o'clock.

FORTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,

Thursday, February 1, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Grove, of the House.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White.

Journal of yesterday read and approved.

By leave, Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 545. For the relief of J. W. Hall, of Geneva county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 48, nays 23.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Dean, Dillon, Espy, Fletcher, Forwood, George, Gibson, Gilmer, Gullett, Glenn, Gray, Grove, Hobson, Hollis, Hubbard, Jack, Jackson, Jones, Kelly, Manasco, of Walker, Mott, McAdory, McDuffie, McKleroy, McMath, McWhorter, Prowell, Robinson, Ross, Saunders, Speake, Stevens, of Coffee, Wall, Weatherford, and Welch—48.

Nays—Messrs. Baker, Baldwin, Bishop, Butler, Cunningham, of Monroe, Darden, Denman, Foshee, Goldthwaite, Glennon, Griffin, Holloway, Hudson, Johnston, Lewis, Mayberry, Manasco, of Winston, Muldon, McDavid, McDonald, McFarlane, McKinstry, Smith, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, and White—23.

Mr. Herndon, by leave, from the Judiciary Committee, reported a substitute for the bill—

H. R. No. 488. To regulate the terms of the court of the first judicial circuit of Alabama.

The substitute was adopted and the bill ordered to a third reading forthwith, read the third time and passed, and ordered to the Senate without engrossment—Yeas 77, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Titcomb, Ussery, Wall, Weatherford, Welch—77.

Nays—Messrs. George, and Stevens, of Dallas—2.

Mr. Kennedy moved to reconsider the vote by which the Senate bill—

s. No. 325. To adopt a code of laws for the State of Alabama.

Passed.

Also the vote ordering the bill to a third reading.

The motion was agreed to.

Mr. Kennedy moved to amend the amendment offered by him on yesterday, by striking out all after the word "code" where it first occurs.

The amendment was adopted.

And the bill ordered to a third reading forthwith, read the third time and passed—Yeas 83, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Robinson, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—83.

Nays—Messrs. Stevens, of Dallas, and Stephens, of Perry—2.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 1, 1877.

Mr. Speaker:

The Senate has originated and passed the following bills, and ordered the same forthwith to the House without engrossing:

s. No. 370. To change the boundary line between the counties of Blount, Walker and Jefferson, and to authorize the removal of the county seat of Blount county.

s. 358. To amend section 1 of an act to incorporate the town of Ashland in the county of Clay, approved February 17, 1875.

And has passed House bills as follows :

H. R. No. 381. To amend section 12 of chapter 6 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 314. To repeal an act to repeal section 4031 of the Revised Code, so far as it relates to Coffee and Geneva counties, so far as said act relates to the county of Coffee, and to revive and re-enact said section 4031 of the Revised Code.

H. R. No. 192. To establish a court of county revenue for Wilcox county.

And has originated and passed the following bill:

s. No. 323. To amend 9th section of an act entitled an act to incorporate the town of Tuskegee in the county of Macon, and for other purposes, approved March 15, 1873,

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 1, 1877.

Mr. Speaker :

The Senate has originated and passed the following bills, and ordered the same forthwith to the House without engrossing :

s. No. 387. To incorporate the Talladega Presbytery.

s. No. 388. To empower the Gaylesville High School in the town of Gaylesville, in Cherokee county, to issue diplomas.

And has concurred in the House amendments to Senate bills:

s. No. 325. To adopt a code of laws for the State of Alabama.

s. No. 326. For the publication of the Code of Alabama.

s. No. 119. To amend an act to prevent camp hunting in the counties of Blount, Marion and Winston, approved February 23, 1875.

And has passed House bill—

H. R. No. 551. To provide for the election of a town marshal in the town of Athens, Limestone county:

And has concurred in House amendments (and has amended caption as therein shown), to Senate bill—

s. No. 324. To require the present commissioners on the

revision of the statutes to codify the acts of the present session of the General Assembly, and to supervise the publication of the Code, adopted at the present session of the General Assembly.

J. M. CARMICHAEL,
Secretary.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bill, and the Speaker in the presence of the House, and immediately after their titles had been publicly read, signed said bill:

H. R. No. 57. To regulate the trial of misdemeanors in the counties of Jefferson, Talladega, Bibb, Pickens, Shelby, Russell and Clay.

The Speaker also in the presence of the House, immediately after the titles thereof had been publicly read, signed the following Senate bills:

s. No. 2. To authorize and empower the mayor and council of the town of Union Springs to levy and collect a license in certain cases.

s. No. 147. To amend section 1779 of the Revised Code.

s. No. 299. To authorize in the sale of the Brierfield Iron Works property of Bibb county, the sale and transfer of the franchises appertaining to the company heretofore incorporated, for the management of said property.

Leave of absence was granted Mr. Rice for two days.

BILLS ON SECOND READING.

The bills—

H. R. No. 590. To discourage malicious and frivolous prosecutions before justices of the peace.

H. R. No. 592. To amend section 2351 of the Revised Code.

H. R. No. 593. To amend section 2992 of the Revised Code.

And the Senate bills---

s. No. 313. To restrain and prevent judicial and ministerial officers from going bail for prisoners or other persons, tried before them, or in their charge.

s. No. 207. To authorize the Governor to fill vacancies in the office of circuit solicitors, coroners and justices of the peace;

Were severally read the second time and referred to the Committee on Judiciary.

The bills---

H. R. No. 588. To authorize and regulate municipal taxation in the city of Mobile.

H. R. No. 587. To fix the rate of taxation on banks chartered by and organized under the laws of this State, in lieu of any bonus now required to be paid by them, and to prescribe the mode of paying the same ;

Were severally read the second time and referred to the Committee on Corporations.

The bills---

H. R. No. 589. To repeal an act to prohibit the sale of liquors within certain places therein named, in Lowndes county, approved December 13, 1873.

H. R. No. 586. For the relief of William J. Kirk, late sheriff of Jackson county ;

Were severally read the second time and referred to the Committee on Local Legislation.

The bill---

H. R. No. 584. To prescribe the time of holding the summer terms of the 1st, 16th, 13th, 3d and 12th chancery districts of the eastern chancery division ;

Was read the second time and referred to a select committee, composed of the representatives from the counties embraced in said districts.

The bill---

H. R. No. 591. To change the line between the counties of Clay and Tallapoosa ;

Was read the second time and referred to the Committee on Counties and County Boundaries.

The bill---

H. R. No. 585. To amend section 2, chapter 5 of an act to establish a Revenue Code.

And the Senate bills---

s. No. 269. To amend subdivision 10 of section 4, of chapter 3 of the act to establish a Revenue Code.

s. No. 231. To provide for the collection of delinquent taxes ;

Were severally read the second time and referred to the Committee on Ways and Means.

The Senate bill---

s. No. 180. To carry into effect the intention of the Congress of the United States in its donation of certain lands or land scrip, to the Legislature of the State of Alabama, by the act approved July 2, 1862 ;

Was read the second time and referred to the Committee on Education.

The Senate bills---

s. No. 320. To authorize and empower the commissioner, appointed under the act approved December 14, 1876, "to provide for the appointment of a commissioner," &c., to adjust certain claims against the State.

s. No. 339. To authorize the Governor to perform in certain cases, the duties of commissioner, under the act approved December 14, 1876, entitled an act to provide for the appointment of a commissioner," &c.;

Were severally read the second time and referred to the Committee on Finance.

The Senate bills---

s. No. 370. To change the boundary line between the counties of Blount, Walker and Jefferson.

s. No. 358. To amend section 1 of an act to incorporate the town of Ashland, in the county of Clay, approved February 17, 1875.

s. No. 323. To amend the ninth section of an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes, approved March 15, 1873;

Were severally read once and ordered to a second reading on to-morrow.

The House adopted the Senate joint resolution in relation to the boundary between the State of Alabama and the State of Georgia.

SPECIAL ORDER.

The special order for 12 M., viz: The Senate bill No. 284, was postponed until 12 o'clock Saturday next.

Mr. Grove, from the Committee on Accounts and Claims, reported adversely to the bill---

H. R. No. 356. For the relief of Robert E. Murphy, sheriff of Madison county;

Was concurred in.

The acting chairman of the committee (Mr. Grove,) was instructed to forward to the judge of the fourth judicial circuit the papers accompanying said bill upon its introduction into the House.

By leave, Mr. Betts, from the Committee on Ways and Means, reported a substitute for the bill---

H. R. No. 470. To regulate the letting of contracts for public works in the counties in this State.

The substitute entitled an act to regulate the letting of contracts for public works in the county of Sumter ;

The substitute was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 78, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Stephens, of Perry, Taylor, Ussery, Wall, Welch—73.

The House next proceeded to the consideration of the Senate bill---

s. No. 120. To amend section 1, of chapter 2 of the act to establish a Revenue Code.

The question pending being the amendment of Mr. Griffin, viz: To add "one horse or mule."

On motion of Mr. Baker, the amendment was laid on the table.

Mr. Stephens, of Perry, moved to lay the amendment of Mr. Robinson as amended by the House on the table.

Lost.

On motion of Mr. Fletcher, the further consideration of the bill was postponed and made the special order for 11½ A. M. Saturday next.

The Senate bill---

s. No. 292. For the relief of Thomas J. Nicholson, of DeKalb county ;

Was read the second time and referred to a select committee of three.

Committee—Messrs. Baxter, McMath and Dean.

Mr. Brown, from select committee, reported favorably, with amendment, to the Senate bill—

s. No. 296. To aid in furnishing additional accommodations for indigent, insane and idiotic persons, residents of the State of Alabama. Amend by adding after the words \$25,000, the following: "In United States currency ;

Its further consideration was postponed and made the

special order for to-morrow immediately after the reading of the journal.

Mr. McMath, from select committee, reported favorably to the Senate bill—

s. No. 199. To regulate the practice of medicine in the State of Alabama.

Mr. Beers submitted the following minority report.:

MONTGOMERY, Feb. 1st, 1877.

To the Honorable House of Representatives of Alabama :

Mr. Speaker :

His undersigned dissents from the views of the majority of the special committee, expressed in their report in favor of the passage of the bill entitled, "An act to regulate the practice of medicine in Alabama," and begs to present this as the minority report of that committee.

The reasons for opposing the passage of the bill under consideration are many, and the objections to it of serious and paramount importance, some of which are briefly stated thus:

Its provisions tend to vex and harrass the people of this State, in restricting their right of private judgment and liberty of action.

Its passage would create, by law, a grand inquisitorial association, clothed with *immense* powers and endowed with exclusive privileges, totally incompatible with the genius of American freedom and the principles of the constitution of Alabama.

It arrogates superiority for one branch of the medical profession by designating all others as *irregular*.

It claims in effect the passage and summary enforcement of "sumptuary" laws for the aggrandizement of one branch of the medical profession to the detriment of all others and in opposition to the interests and rights of the people.

It, in effect, raises a tribunal with power to enforce laws diverse from the *published* statutes of the State, whereby punishments are awarded and inflicted without right of trial by jury or appeal to the courts for redress.

For these, and many equally important reasons, he prays that the bill shall not pass.

OLIVER S. BEERS.

On motion of Mr. Beers, the further consideration of the bill was postponed and made the special order for to-morrow 11 A. M.

Mr. Harrington, from the committee on finance, reported a substitute for the bill—

H. R. No. 132. To provide for the substitution of State obligations of a less denomination than now exists by law, as provided in an act to provide for the funding the domestic debt of this State, approved December 19, 1873.

The substitute was adopted and the bill ordered to a third reading forthwith, read the third time and ordered to be sent forthwith to the Senate—Yeas 69, nays 9.

Yeas—Messrs. Baker, Baldwin, Baxter, Beers, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Dean, DeLemos, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Titcomb, Ussery, Wall Weatherford, Welch and White—69.

Nays—Messrs. Beard, Betts, Cunningham, of Lauderdale, Denman, Dillon, Glennon, Hansburger, Muldon and McMath—9.

Also from same committee favorably with amendment to the bill—

H. R. No. 489. To prescribe and regulate the mode of assessments in this State.

Amend by additional section, as section 5.

The amendment was adopted.

Mr. Cunningham, of Lauderdale, moved to amend by inserting the word, "orally," after the word "oath," in third line in section 1.

Adopted.

Mr. Hubbard moved to amend by adding after the word property, in fifth line of said section, the following: "And the person making the oath, shall subscribe to the same, and it shall be attested by the tax assessor."

Adopted.

Mr. McKleroy moved to amend by striking out the word

"largest," in subdivision 4, section 2, and inserting "average."

Which, on motion of Mr. Brown, was laid on the table.

Mr. Robinson moved to amend subdivision 4, of said section, by substitute as follows: "What amount of capital during the preceding year, had you invested in goods, wares, and merchandise, &c."

Which, on motion of Mr. Fletcher, was laid on the table.

Mr. Hubbard moved to amend by additional section.

Which on motion of Mr. Griffin was laid on the table.

Mr. Betts moved to amend by adding at the close of section 2 the following: "But nothing in this act shall preclude the assessor from propounding any other pertinent questions, which to him may seem necessary, to elicit a complete statement on the part of tax-payer of the whole amount and specific items of his taxable property."

The amendment was adopted.

The bill was then ordered to a third reading forthwith, read the third time and passed—Yeas 68, nays 10.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, White—68.

Nays—Messrs. Brown, Cashin, DeLemos, Gilmer, Manasco, of Walker, McAdory, Snoddy, Stevens of Dallas, Stephens, of Perry, Welch—10.

Mr. Harrington, from same committee, reported favorably to the bill—

H. R. No. 560. To repeal an act to amend subdivision 3 of section 926 of the Revised Code.

On motion of Mr. McMath, the further consideration of the bill was postponed and made the special order for tomorrow, 10½ A. M.

By leave, Mr. Stevens, of Coffee, from the Committee on Judiciary, reported favorably to the Senate bill—

S. No. 280. To repeal an act to repeal section 4031 of the Revised Code, in so far as the same applies to the county

of Covington, and to re-enact said original section 4031.

On motion of Mr. Stevens, of Coffee, the amendment offered by him to the bill, and adopted, was stricken out.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Gullett, Glennon, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, and Weatherford—72.

By leave, Mr. Beers, from the Committee on Appropriations, reported a substitute for the bill—

H. R. No. 358. To make appropriations for the fiscal year ending September 30, 1877.

The substitute entitled an act to make appropriations for the fiscal years ending September 30, 1877 and September 30, 1878.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed—Yeas 73, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Ross, Saunders, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch.—73.

Mr. Hubbard, from the Committee on Privileges and Elections, reported favorably to the Senate bill—

s. No. 183. To amend section 71 of an act to regulate elections in this State, approved March 3, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 66, nays 4.

Yeas—Messrs. Speaker, Baxter, Beard, Beers, Betts, Bishop, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsned, Ussery, Wall, Weatherford and Welch—66.

Nays—Messrs. Cashin, Harris, Lewis, Stevens, of Dallas, and Stephens, of Perry—4.

By the unanimous consent of the House, the following bills were introduced :

By Mr. Muldon—

H. R. No. 594. To amend the first section of the act to secure the payment to the State of United States currency paid to tax collectors and other officers, to provide for setting aside a certain portion of the revenue and the issuance of bonds for the purpose of paying interest on the public debt, approved March 6, 1876.

By Mr. Crump—

H. R. No. 595. To authorize the court of county commissioners of Cullman county to levy a special tax to pay the *pro rata* indebtedness of the counties out of which said county is formed.

Which bills were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Baldwin, the House took a recess until 3½ P. M.

EVENING SESSION.

The House reassembled at the hour of 3½ P. M.

SENATE MESSAGES.

The House concurred in the amendment of the Senate to the title of the Senate bill—

No. 324. To require the present commissioners on the revision of the statutes, to codify the acts of the present session of the General Assembly, and supervise the publication of the new Code—yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Bishop, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jones, Kennedy, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Townsend, Wall, Weatherford, Welch---64.

The Senate bills—

No. 388. To improve the Gaylesville High School in the town of Gainesville in Cherokee county, to issue diplomas;

No. 387. To incorporate the Talladega Presbytery;

Were severally read once and ordered to a second reading on to-morrow.

Mr. Hubbard, from the Committee on Privileges and Elections, reported favorably to the Senate bill—

s. No. 197. To amend sections 6, 7, 8, 11, and 12 of an act entitled and act to provide for the registration of electors in this State, approved March 18, 1875.

Mr. Fletcher moved to recommit the special committee of five.

Lost.

Mr. Herndon moved to recommit the special committee of seven.

The motion was agreed to.

Committee, Messrs. Herndon, Fletcher, Hubbard, Hobson, Brown, McKleroy and DeLemos.

By leave, Mr. Harrington, from the Committee on Fi-

nance, reported favorably to the bill—

H. R. No. 265. To authorize the commissioners appointed under act of December 17, 1874, to adjust and liquidate claims against the State of Alabama, to substitute new for certain old bonds bearing date May 1, 1833.

The bill was ordered to a third reading forthwith, read the third time and passed—yeas 74, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, and Welch—74.

Mr. McKleroy, from the Committee on Education, reported favorably to the bill—

H. R. No. 579. To require the collection of certain school moneys belonging to township 14, range 13, Lowndes county, and payment of the same into the State treasury.

The bill was ordered to a third reading forthwith, read the third time and passed, and ordered forthwith in the Senate without engrossment—yeas 81, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, and Welch—81.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 1, 1877.

Mr. Speaker :

The Senate has originated and passed the following bills—

s. No. 379. For the relief of Mattie J. Tompkins, guardian of William L. Tompkins and Christopher C. Tompkins of Franklin county.

s. No. 338. To authorize the Auditor of the State of Alabama to assess the property belonging to telegraph companies for taxation for the years 1870, 1871, 1872, 1873, 1874 and 1875.

s. No. 363. To amend section 8 of chapter 7 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

J. M. CARMICHAEL,
Secretary.

Mr. Holloway, from the Committee on Counties and County Boundaries, reported favorably to the bill—

H. R. No. 353. To change and define the western boundary line of Etowah county.

The bill was ordered to a third reading forthwith, read third time and lost—Yeas 31, nays 43.

Yeas—Messrs. Baxter, Beers, Bishop, Brodnax, Brown, Caldwell, Darden, Dean, Espy, Foshee, Gibson, Gilchrist, Goldthwaite, Glennon, Gray, Herndon, Hobson, Holloway, Kennedy, Manasco, of Winston, Mott, Muldon, McMath, McWhorter, Robinson, Ross, Snoddy, Taylor, Titcomb, Ussery, Weatherford, and Welch—31.

Nays—Messrs. Speaker, Allen, Baker, Baldwin, Betts, Booker, Butler, Cashin, Cunningham, of Monroe, Crews, Crump, Denman, Doster, Fletcher, Forwood, George, Gullett, Glenn, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Hudson, Jack, Jolly, Kelly, Kirkland, Mayberry, Manasco, of Walker, McAdory, McDavid, McDonald, McFarlane, McKinstry, Rodgers, Saunders, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, and Wall—43.

Also, reported favorably to the bill—

H. R. No. 431. To amend an act to empower the courts of county commissioners to levy a special tax for the purpose of building court houses and jails, or for the improvement of the same, approved February 15, 1876.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 68, nays 4.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, McAdory, McDavid, McDonald, McFarlane, McKinsty, McMath, McWhorter, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall and Weatherford—68.

Also, reported favorably with amendment to the bill—

H. R. No. 364. To change the boundary line between the counties of Montgomery and Pike.

Amend by additional section as section 2.

On motion of Mr. Jolly the further consideration of the bill was postponed and made the special order for 1 o'clock Saturday next.

Also, from same committee, reported favorably to the bill—

H. R. No. 464. To change the boundary line between the counties of Pike and Crenshaw.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 75, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford and Welch—75.

Nays—Messrs. Stevens, of Dallas, and Stephens, of Perry—2.

Mr. Kennedy, from the Committee on the Penitentiary, reported favorably to the bill—

H. R. No. 580. To amend section 3862 of the Revised Code.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 70, nays 2.

Yeas—Messrs. Allen, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, and Welch—70.

Nays—Messrs. Baxter and McFarlane—2.

Also, from majority of same committee reported adversely to the bill—

H. R. No. 524. To require persons sentenced to the penitentiary to pay the costs accrued on account of feeding and the expense of conveying to the penitentiary.

Mr. Brown moved to postpone the further consideration of the bill and report, and make it the special order for 12 M. to-morrow.

Lost.

The adverse report was concurred in.

By leave, Mr. Beers, from the Committee on Appropriations, reported favorably, with amendments, to the Senate bill—

S. No. 49. To make an additional appropriation for the purpose of carrying into effect an act for the relief of maimed soldiers, approved March 6, 1876.

Amendment 1st:

Strike out the words in 8th and 9th lines reading as follows:

“Placed on an equality with those who have lost a leg,” and insert the words: “alone entitled to the provisions of this act.”

Amendment 2d:

Strike out the words in the last line: “and that his financial condition is such that he is unable to purchase one.”

Pending the consideration of the amendments the House, on motion of Mr. Griffin, adjourned till to-morrow morning, 9½ o'clock.

FORTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, February 2, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hawthorne.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Gere for three days, Mr. Booth for two days and Mr. Johnston until Monday.

The House proceeded to the consideration of the special order for this hour, viz: the Senate bill—

s. No. 296. To aid in furnishing additional accommodations for the indigent, insane and idiotic persons, residents of the State.

The amendment reported by the committee was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 76, nays 6.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cuninghame, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of

Walker, Manasco, of Winston, Mott, Muldon, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall, Weatherford, White—76.

Nays—Messrs. Holloway, Hudson, Ross, Snoddy, Usery, Welch—6.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 2, 1877.

Mr. Speaker :

The Senate has passed House bills as follows :

H. R. No. 328. To amend an act to regulate the payment of all the claims against the fine and forfeiture fund of Clarke county, and to make the same receiveable for fines due the county and for the hire of convicts, approved March 19, 1875.

H. R. No. 371. To provide for the election of officers in the town of Orion.

H. R. No. 249. To authorize the executors of the last will and testament of Rufus H. Clements, deceased, to sell certain lands in Tuscaloosa at private sale.

H. R. No. 519. To authorize the commissioner's court of Bibb county to build a bridge across the Cahaba river opposite the town of Centreville, to appoint trustees thereof, to issue and sell bonds of the county and to secure said bonds by mortgage.

J. M. CARMICHAEL,
Secretary.

SIGNING SENATE BILLS.

The Speaker in the presence of the House and immediately after the titles thereof had been publicly read, signed the following Senate bills :

s. No. 325. To adopt a code of laws for the State of Alabama.

s. No. 202. To amend section 1 of an act to authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company, approved March 6, 1876.

s. No. 318. For the relief of the Montgomery Female College, an educational, literary and scientific institution,

duly incorporated and exempt from taxation, and to have refunded the State and county taxes improperly collected on the property of the institution during the years extending from 1869 to 1875.

s. No. 143. To incorporate the Deshler Female Institute at Tusculumbia, Alabama.

s. No. 156. To incorporate the Alabama Immigration Company.

Mr. Jolly submitted the following report :

To the President of the Senate and Speaker of the House of Representatives :

The joint committee to whom was referred the joint resolution as to the day of adjournment of the present General Assembly, have had the same under consideration, and instruct me to report that in the judgment of a majority of the committee it will be expedient to adjourn on Friday, the 9th day of February next.

I am further instructed to report the following resolution, and ask its adoption :

Therefore, be it resolved by the House, the Senate concurring, That this General Assembly do adjourn sine die at 12 o'clock M. on Friday, the 9th day of February, A. D. 1877.

JNO. J. JOLLY,
Chairman.

H. R. No. 596. The joint resolution (H. R. No. 596) reported by the committee was adopted.

By leave, Mr. Dillon offered the following resolution :

Resolved, That on and after Monday next this House shall convene at 9½ o'clock A. M., and shall not adjourn before half-past 1 o'clock, P. M., unless the order of business is completed before the last named hour, and shall reassemble at 3½ o'clock P. M., and shall not adjourn before the hour of half-past 7 P. M., unless the business shall be sooner disposed of as aforesaid.

On motion, the resolution was laid on the table.

BILLS ON SECOND READING.

The bill—

H. R. No. 594. To amend the first section of the act to

secure the payment to the State of United States currency, &c., approved March 6, 1876;

Was read the second time and referred to the Committee on Ways and Means.

The bill—

H. R. No. 595. To authorize the court of county commissioners of Cullman county to levy a special tax to pay the pro rata indebtedness of the counties out of which said county is formed;

Was read the second time and referred to the Committee on Local Legislation.

The Senate bill—

s. No. 388. To empower the Gaylesville High School in the town of Gaylesville, in Cherokee county, to issue diplomas;

Was read the second time and referred to the Committee on Education.

The Senate bill—

s. No. 387. To incorporate the Talladega Presbytery;
Was read the second time and referred to the Committee on Corporations.

The Senate bill—

s. No. 370. To change the boundary line between the counties of Blount, Walker and Jefferson;

Was read the second time and referred to the Committee on Counties and County Boundaries.

The Senate bill—

s. No. 358. To amend section one of an act to incorporate the town of Ashland in the county of Clay, approved February 17, 1875;

Was read the second time and referred to a select committee of three.

Committee, Messrs. Dean, Stevens, of Coffee and Gibson.

The Senate bill—

s. No. 323. To amend the ninth section of an act to incorporate the town of Tuskegee in the county of Macon, and for other purposes, approved March 15, 1873;

Was read the second time and referred to a select committee of three.

Committee, Messrs. Ramsey, Kennedy and Jones.

SENATE BILLS ON FIRST READING.

The Senate bills—

s. No. 363. To amend section 8 of chapter 7 of an act to establish a Revenue Code;

s. No. 379. For the relief of Martha J. Tompkins, guardian of William L. Tompkins and Christopher C. Tompkins, of Franklin county.

s. No. 338. To authorize the Auditor of the State of Alabama to assess the property belonging to telegraph companies for taxation for the years 1870, 1871, 1872, 1873, 1874 and 1875;

Were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Betts the Senate bill--

s. No. 120. To amend section one of chapter two of an act to establish a Revenue Code, &c.;

Was taken up, and on motion of Mr. Jolly its further consideration was postponed until Monday next, 1 P. M., and made the special order for that hour.

Mr. Kelly, from Select Committee, reported favorably with amendment to the Senate bill--

s. No. 343. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors within $3\frac{1}{2}$ miles of the Prattville male and female academy, in the town of Prattville, in county of Autauga.

Amend by adding to section 1: "Provided further, that this act shall not apply to native wines grown within said limits."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed--Yeas 72, nays 8.

Yeas--Messrs. Speaker, Allen, Baxter, Beers, Betts, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Lewis, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ramsey, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Titcomb, Townsend, Ussery, Wall, and White--72.

Nays--Messrs. Baker, Baldwin, Mayberry, Manasco, of Walker, Manasco, of Winston, Snoddy and Welch--8.

Mr. Jackson moved to reconsider the vote by which the bill---

H. R. No. 353. To change and define the western boundary line of Etowah county;

Was lost on yesterday.

The motion was lost.

Mr. Glennon, from special joint committee, reported favorably with amendment to the Senate bill---

s. No. 242. To authorize the redemption of real estate sold for taxes and purchased by or in the name of the State.

Amend by inserting the following at the end of the first section;

"And provided further, that where no assessment of taxes has been made of real estate after the first sale thereof for taxes and purchase thereof by the State, the judge of probate of the county in which such real estate may be situated, shall have the right to assess the same for each subsequent year when proposed to be redeemed.

Amend by additional section as section 4.

On motion of Mr. Glennon, the further consideration of the bill and the amendments was postponed and made the special order for Monday next immediately after the journal is read.

The bill—

H. R. No. 560. To repeal an act to amend subdivision three of sec. 926 of the Revised Code;

Which was made the special order for 10½ A. M. to-day;

Was on motion of Mr. McMath laid on the table.

Mr. Baker, from the Committee on Public Roads and Highways, made the following report:

Mr. Speaker:

The Committee on Public Roads and Highways, to which was referred a resolution "to look into and report who are exempt from working on the public roads in this State," have had the same under consideration, and instruct me to report the following persons as exempt, viz.:

"All females, and all male persons under the age of 18 years and over 45 years of age, and all maimed or disabled persons who shall procure a certificate of such disability from some licensed practicing physician, are exempt from working on public roads, except such persons as may be

convicted of crimes or misdemeanors by any court of this State."

J. M. JACKSON,
Chairman.

The report was received and on motion of Mr. Fletcher, it was ordered that it lie on the table.

Mr. Dillon, from the Committee on Internal Improvements, reported favorably to the bill—

H. R. No. 414. To amend an act to induce immigration into the State of Alabama;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 70, nays 9.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jones, Manasco, of Walker, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---70.

Nays---Messrs. Hubbard, Lewis, Mayberry, Manasco, of Winston, Mott, McAdory; McKinstry, Stevens, of Dallas, Stephens, of Perry---9.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker in the presence of the House, and immediately after their titles had been publicly read, signed said bills.

H. R. No. 244. For the relief of the Troy Light Guards.

H. R. No. 314. To repeal section 4031 of the Revised Code, so far as it relates to Coffee and Geneva counties, so far as said act relates to the county of Coffee, and to revive and re-enact said section 4031 of the Revised Code.

H. R. No. 192. To establish a court of county revenues for Wilcox county.

H. R. No. 381. To amend section 12, of chapter 6 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 551. To provide for the election of a town marshal, in the town of Athens, Limestone county.

REPORTS FROM COMMITTEES.

Mr. Beers, from the Committee on Appropriations, reported a substitute for House bills Nos. 377 and 378.

H. R. 377. The substitute, entitled an act for the relief of J. R. Wing and I. D. Hogan ;

The substitute was adopted, and the bill ordered to a third reading forthwith, read the third time and passed---Yeas 76, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rice, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---76.

Also, from same committee, favorably to the bill---

H. R. No. 547. To amend section 136 of the Revised Code.

On motion of Mr. Harrington, the bill was amended by adding the words "to the secretary of the Senate and the clerk of the House ;"

The bill was then ordered to a third reading forthwith, read the third time and passed---yeas 76, nays 7.

Yeas---Messrs. Speaker, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith,

Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---76.

Nays—Messrs. Herndon, Hudson, Mott, McAdory, McKinstry, Stevens, of Dallas, Weatherford—7.

Mr. Jolly submitted the following report, and it was ordered that it be received and lie on the table :

To the President of the Senate and Speaker of the House of Representatives :

The undersigned, members of the joint committee, to which was referred the joint resolution requiring said committee to consider the subject, and "report on what day it will be expedient for the General Assembly to adjourn *sine die*," dissent from the views of a majority of the committee, and beg leave to submit a minority report.

While we admit that there is important unfinished business which should be disposed of, and which cannot be completed by the 5th day of February, and that it would be eminently wise to continue the session beyond that day if there were nothing in the organic law to forbid it; we are of opinion that the Constitution of Alabama limits the session to sixty sessional days---that Sundays and holidays are included in sessional days---and that the sixty days will expire on Monday, the 5th day of February. We are, therefore, of opinion that it will not be expedient to continue the session beyond that time.

A. C. HARGROVE,
W. J. WOOD.

Mr. Beers, from the Committee on Appropriations, reported favorably to the Senate bill---

s. No. 334. To provide a biennial appropriation of a sum not to exceed two hundred dollars, to pay the expenses of engraving maps, &c., to illustrate the reports of the State geologist;

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 63, nays 7.

Yeas—Messrs. Baldwin, Baxter, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham of Lauderdale, Crews, Crump, Darden, Dean, Denson, DeLemos, Dillon, Doster, Fletcher, Foshee, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Jackson, Jolly, Jones, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McMath, Prowell, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas,

Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, White—63.

Nays—Messrs. Speaker, Allen, Hobson, Hubbard, Hudson, McFarlane, Welch—7.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the House proceeded to the consideration of the special order, viz., the Senate bill —

s. No. 199. To regulate the practice of medicine in the State of Alabama.

Mr. Beers moved to substitute the minority report for that of the majority.

Mr. McMath called for the previous question.

The call was sustained.

And the vote being taken upon the motion of Mr. Beers, it was agreed to.

Mr. Glennon moved to postpone the further consideration of the report until Tuesday next, 10½ A. M., and make it the special order for that hour.

Lost.

And the adverse report of the minority was concurred in—Yeas 41, nays 36.

Yeas—Messrs. Baldwin, Beers, Betts, Bishop, Booker, Brodnax, Darden, Dean, Denman, Doster, Espy, Forwood, Foshee, Gibson, Gilchrist, Gullett, Hobson, Holloway, Hubbard, Hudson, Jackson, Jones, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, McAdory, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Ross, Saunders, Snoddy, Stevens, of Coffee, Stevens, of Dallas, Ussery, Welch—41.

Nays—Messrs. Speaker, Butler, Brown, Cunningham, of Monroe, Crump, DeLemos, Dillon, Fletcher, George, Gilmer, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Jolly, Kelly, Mott, Muldon, McDavid, McDonald, McKleroy, McMath, Rice, Robinson, Shields, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Wall, White—36.

Mr. Goldthwaite, from the committee on fees and salaries, reported a substitute for the bill—

H. R. No. 437. To amend section 4343 of the Revised Code.

Pending its consideration the following message was received:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 2, 1877.

Mr. Speaker :

The Governor has approved the followings bills which originated in the House of Representatives.

No. 9. An act for the preservation of game, animals, and birds, in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale, Dallas, Montgomery and Greene.

No. 550. An act to authorize the people of Franklin county to vote on the question of removing the county seat of said county on the 4th Saturday in March, 1877, if such an election shall not be held at an earlier day.

No. 57. An act to regulate the trial of misdemeanors in the counties of Jefferson, Talladega, Bibb, Pickens, Shelby, Russell and Clay.

No. 167. An act to amend section 3625, of the Revised Code.

Respectfully,

IKE H. VINCENT,
Private Secretary.

Pending the further consideration of the substitute, on motion of Mr Glennon, the House took a recess until 3½ P. M.

EVENING SESSION.

The House reassembled at the hour of 3½ P. M.

Mr. McMath, from select committee, reported favorably with amendments to the bill—

H. R. No. 584. To prescribe the time of holding the summer terms of the 1st, 16th, 13th, 3d, and 12th chancery districts of the eastern chancery division.

Amend caption by striking out "12th," and amend body of bill, by striking out all in relation to 12th district.

The amendments were adopted—

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 77, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Crews, Crump, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glennon, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---77.

Mr. Baxter, from special committee, reported favorably to the Senate bill—

s. No. 292. For the relief of Thos. J. Nicholson of DeKalb county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 71, nays 5.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rice, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---71.

Nays—Messrs. Bishop, Hudson, Muldon, McDuffie, McKleroy---5.

By leave, Mr. Muldon offered the following resolution, which on motion was laid on the table :

Be it resolved by the House, That hereafter, during the present session of the General Assembly, the House of Representatives shall hold three daily sessions, as follows :

Assemble at 9:30 A. M. and, unless the order of business be sooner disposed of, remain in session until 1:30 P. M.

Reassemble at 3:30 P. M. and, unless the order of business be sooner disposed of, remain in session until 6 P. M.

Again to reassemble at 7:30 P. M., the House continuing its evening session until the regular order of business be disposed of or an adjournment be had.

By leave, Mr. Dillon, from the Committee on Education, reported favorably to the bill—

H. R. No. 576. To amend an act for the relief of Ben. DeLemos, passed by the Board of Education, approved December 11, 1874.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 78, nays 0.

Yeas--Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hudson, Jack, Jolly, Jones, Kirkland, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—78.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills—

H. R. No. 371. To provide for the election of officers in the town of Orion.

H. R. No. 266. To amend the act entitled an act to provide for the impeachment and removal from office of the officers mentioned in section 2 and section 3 of article 7 of the constitution of Alabama.

H. R. No. 328. To amend an act to regulate the payment of all the claims against the fine and forfeiture fund of Clark county, and to make the same receivable for fines due the county and for the hire of convicts, approved March 19, 1875.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 2, 1877.

Mr. Speaker:

The Senate has adopted the House joint resolution—

H. R. No. 596. Joint resolution on the subject of adjournment.

And has passed the House bill—

H. R. No. 191. To repeal an act to increase the *per diem* of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, so far as it relates to Washington county.

And has originated and passed the following bills:

s. No 277. To amend section 19 of an act entitled an act to incorporate the town of Gadsden, approved March 6, 1875.

s. No. 364. To make appropriation to pay the commissioners to revise the laws of Alabama the balance of the minimum price for the work as fixed by contract between them and the Governor.

s. No. 281. To prevent the running of freight trains on railroads on Sundays.

J. M. CARMICHAEL,
Secretary.

By leave, Mr. Herndon, from the Committee on Judiciary, reported favorably with amendments to the bill.

H. R. No. 525. To fix the time and regulate the terms of holding the circuit court of Randolph county.

1. Amend title by inserting after the word "Randolph" the word "Clay," and changing the last word to "counties."

2. Amend by additional section as section 2.

3. Amend by making section 2 section 3, and amend said section by striking out "March" and insert "April."

The amendments were adopted.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 81, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harring-

ton, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Bice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—81.

Also, from same committee, reported favorably with amendment to the bill—

H. R. No. 417. For the relief of Sarah J. Knight and William R. Knight.

Amend by additional section as section 2.

The amendment was adopted, the bill ordered to a third reading forthwith, read third time and passed—Yeas 80, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—80.

The Senate bill—

s. No. 364. To make appropriation to pay the commissioners to revise the laws of Alabama, the balance of the minimum price for the work as fixed by contract between them and the Governor;

Was read once and ordered to a second reading on tomorrow.

On motion of Mr. Beers, the Senate bill—

s. No. 49. To make an additional appropriation for the purpose of carrying into effect the provisions of an act for the relief of maimed soldiers, approved March 6, 1876;

Was taken up.

Mr. DeLemos called the previous question.

The question being, "Shall the main question be now put,

Carried.

The pending amendments were adopted.

The bill was ordered to a third reading and read the third time.

On motion of Mr. Griffin, the vote ordering the bill to a third reading, was reconsidered.

Mr. Griffin moved to amend by adding: "Provided the money paid under the provisions of this act shall be paid directly to the beneficiary, and he shall have no power to transfer or assign his claim.

Mr. Hobson moved to amend the amendment by inserting the words "or order," after the word "beneficiary."

Which on motion of Mr. Griffin, was laid on the table.

The amendment of Mr. Griffin was adopted, and the bill ordered to a third reading forthwith, read third time and passed—Yeas 70, nays 10.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Fletcher, Forwood, Foshee, Gibson, Gichrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Rice, Robinson, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford Welch, White—70.

Nays—Messrs. Baldwin, Brown, Cashin, George, Gray, Harris, Lewis, Mayberry, Manasco, of Winston, Stevens, of Dallas, Stephens, of Perry—10.

By leave, Mr. Brown, from the Committee on Local Legislation, reported favorably to the Senate bill—

s. No. 246. To amend an act to authorize the commissioners' court of Butler county to relieve M. Wimberly, late tax collector of said county;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 68, nays 0.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beers, Betts, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson,

Gilchrist, Gullett, Glenn, Griffin, Grove, Harris, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry. Taylor, Titcomb, Townsend, Ussery, Wall, White—68.

A question as to the order of business having arisen, the Speaker ruled that the chairman of the Committee on Agriculture and Commerce was entitled to the floor.

Mr. Rice appealed from the decision of the chair.

The decision of the chair was sustained.

Mr. Beers, from said committee, reported adversely to the Senate bill—

s. No. 71. To regulate the shipment of freight, and the rates thereof on railroads.

Mr. Gilchrist moved to refer the bill to a special committee of five.

Lost.

On motion of Mr. Jolly, the further consideration of the bill and the report was indefinitely postponed.

Mr. Beers, from the Committee on Agriculture and Commerce, reported back to the House the bill—

H. R. No. 463. For the relief of William A. Stuart, of Calhoun county;

And asked its reference to the Committee on Appropriations.

It was so referred.

Also, from same committee, reported favorably to the amendments of the Senate to the bill—

H. R. No. 281. To prevent the killing, disabling, disfiguring, destroying or injuring of certain animals;

The amendments were concurred in—Yeas 67, nays 8.

Yeas—Messrs. Speaker, Allen, Beard, Beers, Bishop, Booker, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Robinson, Rodgers, Ross,

Smith, Snoddy, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, Welch—67.

Nays---Messrs. Betts, Fletcher, Harrington, Jackson, Prowell, Rice, Saunders, Speake---8.

Also, from same committee, reported favorably, with amendments to the bill---

H. R. No. 343. To augment the material resources of the State, to increase the revenue and to encourage wool growing.

On motion of Mr. Cunningham, of Lauderdale, the bill and amendments were laid on the table.

Mr. Dillon, from special committee, reported a substitute for the Senate bill---

s. No. 274. To add the counties of Cherokee and Etowah to the Northern chancery division, and to fix the time of holding the courts therein;

The substitute was adopted, and the bill was ordered to a third reading forthwith, read third time and passed---Yeas 78, nays 0.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Welch, White---78.

The Senate bill---

s. No. 277. To amend section 19 of an act entitled an act to incorporate the town of Gadsden, approved March 6, 1875;

Was read once and ordered to a second reading on tomorrow.

On motion of Mr. Griffin, the House adjourned till tomorrow morning, 9½ o'clock.

FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, February 3, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Grove, of the House.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Darden, Dean, DeLemos, Dillon, Espy, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jolly, Jones, Kelly, Kirkland, Lewis, Manasco, of Winston, Mott, Muldon, McDavid, McDonald, McDuffie, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Wall, Weatherford.

Journal of morning session of yesterday read and approved.

Leave of absence was granted Mr. Doster for one day.

Mr. Ramsey, from special committee, reported favorably to the Senate bill—

s. No. 323. To amend the ninth section of an act to incorporate the town of Tuskegee in the county of Macon, &c.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 76, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Mott, McAdory, McDavid, McDonald, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stephens, of Perry, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—76.

BILLS ON SECOND READING.

The Senate bills—

s. No. 364. To make appropriation to pay the commissioners to revise the laws of Alabama the balance of the minimum price for the work as fixed by contract, &c.

Was read the second time and referred to a select committee of three.

s. No. 277. To amend section 19 of an act to incorporate the town of Gadsden, approved March 6, 1875 ;

Was read the second time and referred to the Committee on Corporations.

The Senate bill—

s. No. 379. For the relief of Martha J. Tompkins, guardian, &c.;

Was read the second time and referred to the Judiciary Committee.

The Senate bill—

s. No. 363. To amend section 8 of chapter 7 of an act to establish a Revenue Code.

s. No. 338. To authorize the Auditor of the State to assess the property belonging to telegraph companies for taxation for the years 1870-71-72-73-74 and 1875 ;

Were severally read the second time and referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 3, 1877.

Mr Speaker :

The Senate has passed House bills as follows:

H. R. No. 335. To amend section 2329 of the Revised Code.

H. R. No. 363. To change the boundary line between the counties of Bullock and Montgomery.

H. R. No. 544. To amend section 12 of an act to establish the city court of Eufaula, approved February 14, 1870.

H. R. No. 401. To amend section twenty (20) of an act entitled an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16, 1870.

H. R. No. 455. To reduce the number of grand and petit jurors in Geneva county.

H. R. No. 456. To prescribe additional duties for the treasurer of Geneva county.

H. R. No. 468. To repeal an act entitled an act to compensate jurors and witnesses in Monroe county.

H. R. No. 344. To repeal an act entitled an act to authorize the Mayor and Council of the town of Union Springs to levy and collect a tax to pay the bonds issued by the corporate authorities of said town, approved December 16, 1871.

H. R. No. 349. For the relief of M. A. Cooke, of Dale county.

H. R. No. 400. To incorporate the town of Marion, in Perry county, as a separate public school district.

H. R. No. 555. To authorize and empower the court of county commissioners of Tallapoosa county to levy a special tax at special term of said court;

And has originated and passed the following bill, and ordered the same to the House forthwith without engrossment.

s. No. 386. To regulate the pay of jurors in Clay county.

And has also passed the House bills—

H. R. No. 244. For the relief of the Troy Light Guards.

H. R. No. 487. To require the payment to the County Superintendent of Education of Franklin county, of the balance of the school fund due to said county on the apportionment for the scholastic year 1871-2.

And has amended as therein shown and passed the bill—

H. R. No. 174. To reduce the rate of taxation in this State.

J. M. CARMICHAEL,
Secretary.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills—

H. R. No. 281. To prevent the killing, disabling, disfiguring, destroying or injuring of certain animals.

H. R. No. 191. To repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, so far as it relates to Washington county.

H. R. No. 249. To authorize the executors of the last will and testament of Rufus H. Clements deceased, to sell certain lands in Tuscaloosa at private sale.

The Speaker also, in the presence of the House, immediately after the titles thereof had been publicly read, signed the following Senate bills—

s. No. 326. For the publication of the Code of Alabama.

s. No. 324. To require the present commissioners on the revision of the statutes to supervise the publication of the Code, &c.

s. No. 119. To amend an act to prevent camp hunting in the counties of Blount, Marion and Winston.

s. No. 109. To furnish weights and measures to counties where the same are destroyed and to new counties.

s. No. 243. For the relief of John Kehoe of Tuscaloosa county.

And joint resolution in relation to the boundary line between the State of Alabama and the State of Georgia.

The Senate bill—

s. No. 281. To prevent the running of freight trains on Sundays;

Was read once and ordered to a second reading on tomorrow.

Reports from standing committees being next in order---

The House resumed the consideration of the substitute reported by the Committee on Fees and Salaries, to the bill—

H. R. No. 437. To amend section 4343 of the Revised Code.

The substitute was adopted and the bill ordered to a third reading forthwith, read the third time and lost—Yeas 37, nays 39.

Yeas—Messrs. Speaker, Allen, Baker, Beers, Betts, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Dean, Fletcher, Goldthwaite, Gullett, Gray, Grove, Hansburger, Harrington, Hobson, Jack, Jackson, Jolly, Kelly, Kennedy, Mott, McDavid, McDonald, McDuffie, McKleroy, McWhorter, Prowell, Robinson, Ross, Saunders, Taylor, Townsend—37.

Nays—Baxter, Beard, Bishop, Brodnax, Cunningham, of Monroe, Crump, Denman, Dillon, Espy, Forwood, Foshee, Gibson, Gilchrist, Glenn, Glennon, Griffin, Harris, Herndon, Hollis, Holloway, Hubbard, Hudson, Jones, Kirkland, Manasco, of Walker, Manasco, of Winston, Mc-

Adory, McFarlane, McMath, Rodgers, Shields, Speake, Stevens, of Dallas, Stephens, of Perry, Titcomb, Ussery, Wall, Welch and White—39.

Mr. Betts moved to reconsider the vote concurring in the adverse report to the bill—

s. No. 199. To regulate the practice of medicine in this State.

Mr. Beers moved to lay the motion on the table.

Lost.

Yeas 36, nays 44.

Yeas—Messrs. Baxter, Beers, Bishop, Booker, Brodnax, Caldwell, Crump, Darden, Dean, Denman, Espy, Forwood, Foshee, Gibson, Gullett, Glenn, Harrington, Hudson, Jack, Jackson, Jones, Kennedy, Kirkland, Manasco, of Winston, McAdory, McDuffie, McFarlane, McWhorter, Prowell, Ramsey, Ross, Snoddy, Stevens, of Dallas, Townsend, Ussery and Welch—36.

Nays—Messrs. Speaker, Baker, Baldwin, Betts, Booker, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, DeLemos, Dillon, Fletcher, George, Gilchrist, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Holloway, Jolly, Kelly, Mayberry, Mott, Muldon, McDavid, McDonald, McKleroy, McMath, Rice, Robinson, Rodgers, Saunders, Shields, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Wall and White—44.

The motion to reconsider was agreed to.

Mr. Jolly moved to lay the adverse report on the table.

Agreed to.

Mr. Beers moved to recommit the bill.

Lost.

On motion of Mr. McKleroy the bill was considered by sections.

Mr. Beers moved to amend first section by striking out the word "irregular" and insert "unusual."

Which, on motion of Mr. McKleroy, was laid on the table.

Mr. Beers moved to amend section 1 by inserting after the word diploma the words "or otherwise proven their capacity."

Which, on motion of Mr. Jolly, was laid on the table.

Section 1 adopted.

Mr. Beers moved to amend section 2 by adding: "unless called upon to do so by a citizen of the State, suffering from a malady."

Which, on motion of Mr. Jolly, was laid on the table.

Section 2 adopted.

Mr. Hudson moved to amend section 3 by adding "provided, however, that no physician examined by said board shall charge more than twenty-five cents per mile, and two dollars for each prescription."

Which, on motion of Mr. Mott, was laid on the table.

Sections 3 and 4 adopted.

Mr. McKleroy moved to amend by adding at the end of section 5, "provided that said medical association, nor any board of censors, in affiliation with it, shall not be allowed to charge any fee for any diploma or certificate of qualification which may be granted by it."

Adopted.

Section 5 adopted.

Mr. Betts moved to strike out section 6.

Mr. Hudson moved to lay the motion on the table.

Lost.

The motion to strike out was agreed to.

Mr. McKleroy moved to amend section 7 by striking out the words "less than fifty," where they occur in the eighth and ninth lines. Also by striking out the words "one half of said fine to be paid to the informer, and the other half to the county treasury," where they occur in the 11th, 12th and 13th lines. Also by striking out the words "less than one month nor."

Adopted.

Mr. Beers moved to amend by adding the following: "provided that nothing in this act shall apply to any psychometric or homeopathic physician, or any member of the Pathological Society of Mobile."

Which, on motion of Mr. McMath, was laid on the table.

Mr. Crews moved to amend said section by striking out the words "five hundred" and inserting "one hundred."

Adopted.

Section 7 was adopted.

Mr. Rice moved to amend section 8 by striking out the words, "all citizens of this State," and by inserting in lieu of said words "all persons."

Adopted.

Sections 8 and 9 adopted.

On motion of Mr. McKleroy sections 10 and 11 were transposed.

Said sections were adopted.

Mr. Cashin moved to amend by adding, "Provided, that

the examination provided for in section 2, of this act, shall not be held to apply to physicians, who make the treatment of certain diseases a specialty."

Laid on the table.

Mr. Brown called for the previous question.

The call was sustained, and the bill ordered to a third reading forthwith, read third time and passed—Yeas 45, nays 33.

Yeas—Messrs. Speaker, Baker, Betts, Butler, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, DeLemos, Dillon, Fletcher, George, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Jackson, Jolly, Kelly, Kennedy, Mayberry, Muldon, McDavid, McDonald, McKleroy, McMath, McWhorter, Rice, Robinson, Rodgers, Saunders, Shields, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Wall and White—45.

Nays—Messrs. Baldwin, Baxter, Beard, Beers, Bishop, Booker, Brodnax, Darden, Dean, Denman, Espy, Forwood, Foshee, Gibson, Gilchrist, Gullett, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jones, Kirkland, Manasco, of Winston, McAdory, McDuffie, McFarlane, Prowell, Ross, Stevens, of Dallas, Ussery, and Welch—33

REPORTS FROM COMMITTEES.

Mr. Goldthwaite, from the committee on fees and salaries, reported adversely to the bill—

s. No. 327. For the benefit of the supreme court library.

Which was concurred in.

Mr. Goldthwaite, from same committee, reported favorably, with amendment, to the Senate bill—

s. No. 191. To amend section 49, of the Revised Code.

Amend by adding, "provided that the provisions of this act shall apply to the officers and members of the present General Assembly."

Mr. McMath moved to amend the amendment by way of a substitute, as follows: "That this act shall not take effect until the final adjournment of the General Assembly."

The amendment was adopted.

Amendments were severally offered and adopted, as follows:

To make the mileage for Baldwin county 196 miles.

To make the mileage for Barbour county 90 miles.
 To make the mileage for Blount county 145 miles.
 To make the mileage for Cleburne county 155 miles.
 To make the mileage for Colbert county 225 miles.
 To make the mileage for Coosa county 40 miles.
 To make the mileage for Franklin county 243 miles.
 To make the mileage for Greene county 121 miles.
 To make the mileage for Lawrence county 206 miles.
 To make the mileage for Lowndes county 28 miles.
 To make the mileage for Monroe county 101 miles.
 To make the mileage for Randolph county 115 miles.
 To make the mileage for Sanford county 200 miles.
 To make the mileage for Talladega county 110 miles.
 To make the mileage for Walker county 154 miles.
 To make the mileage for Marion county 275 miles.
 To make the mileage for Mobile county 185 miles.

Mr. McKleroy moved to amend by way of a substitute, entitled an act to prescribe the manner in which mileage shall be paid.

Mr. Brown moved to lay the amendment on the table.

Lost—Yeas 13, nays 58.

Yeas—Messrs. Brown, Caldwell, Dean, Dillon, Gray, Hansburger, Herndon, Jackson, Jolly, Jones, Muldon, McMath, and Wall—13

Nays—Messrs. Allen, Baldwin, Beard, Beers, Booker, Brodnax, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Harris, Harrington, Holloway, Hubbard, Hudson, Kelly, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McWhorter, Prowell, Rice, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Welch, White—58.

Mr. McKleroy moved to amend the substitute, by additional section.

Adopted.

The substitute was then adopted.

Mr. Brown moved to amend by adding the following: "Provided that members of the present General Assembly, who have received more mileage than they will be entitled to under this act, shall refund the same to the State."

McKleroy moved to lay the amendment on the table.

Lost—Yeas 16, nays 60.

Yeas—Messrs. Baldwin, Baxter, Beers, Betts, Brodnax, Foshee, Glenn, Glennon, Grove, Harris, Lewis, Mayberry, McKleroy, Prowell, Stevens, of Dallas, Stephens, of Perry, and Taylor—16.

Nays—Messrs. Speaker, Allen, Baker, Beard, Booker, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, Dillon, Espy, Fletcher, Forwood, George, Gebson, Gilchrist, Goldthwaite, Gullett, Gray, Griffin, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Robinson, Ross, Saunders, Smith, Speake, Townsend, Ussery, Wall, Welch and White—60.

On motion of Mr. McKleroy the further consideration of the amendment was indefinitely postponed.

On motion of Mr. Hubbard, the Senate bill 284, and House bill 364, were made the special order for Monday, at the hours of 11 and 12, respectively.

Pending the consideration of the Senate bill 191, the House on motion of Mr. Griffin took a recess until 3½ P. M.

EVENING SESSION.

The House reassembled at the hour of 3½ P. M.

On motion of Mr. Holloway, the vote by which the substitute for the Senate bill—

s. No. 191. To amend section 49 of the Revised Code, was adopted;

Was reconsidered.

On motion of Mr. Brown, the substitute was laid on the table.

The bill was then ordered to a third reading, read third time and passed—Yeas 62, nays 8.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis,

Holloway, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McWhorter, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Townsned, Wall, Weatherford, Welch—62.

Mr. Goldthwaite, from the Committee on Fees and Salaries, reported favorably with amendment to the Senate bill—

s. No. 223. To amend section 654 of the Revised Code.

Amend by adding to section 1 the words: "To any one county."

The amendment was adopted, the bill ordered to a third reading forthwith, read third time and passed—Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Robinson, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Townsend, Ussery, Wall, Welch—64.

Also, from same committee, reported favorably to the bill—

H. R. No. 443. To regulate the fine and forfeiture fund of the several counties of this State.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 67, nays 1.

Yeas—Messrs. Speaker, Baker, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Ste-

phens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch---67.

Nay—Mr. Stevens, of Dallas---1.

Leave of absence was granted Mr. McMath for three days, commencing on Monday next.

Mr. Herndon, from the Committee on Judiciary, reported favorably to the Senate bill—

s. No. 250. To amend section 2293 of the Revised Code.

The bill was ordered to a third reading, read third time and passed---Yeas 58, nays 2.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Muldon, McAdory, McDavid, McDuffie, McFarlane McKinsty, McKleroy, McWhorter Robinson, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch---58.

Nays---Messrs. Mayberry and Stephens, of Perry---2

Also, reported substitute for the bill---

H. R. No. 220. To regulate the publication of legal notices in this State.

The substitute was adopted and the bill ordered to a third reading forthwith, read third time and passed---Yeas 62, nays 1.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Glennon, Gray, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McFarlane, McKinsty, McKleroy, McWhorter, Prowell, Robinson, Ross, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch---62.

Nay—Mr. Harrington---1.

Also, reported substitute for the bill---

H. R. No. 84. More efficiently to provide for the payment of officers' fees in certain cases ;

The substitute was adopted.

The bill ordered to a third reading forthwith, read third time and passed---Yeas 62, nays 1.

Yeas---Messrs. Speaker, Baxter, Beard, Beers, Bishop, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Speake, Titcomb, Taylor, Townsend, Ussery, Wall, Welch---62.

Nay---Mr. Lewis---1.

Also, reported favorably to the bill---

H. R. No. 309. To prescribe the damages on affirmance of judgments and decrees in the supreme court;

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 52, nays 10.

Yeas---Messrs. Allen, Baxter, Beard, Beers, Bishop, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Jack, Jolly, Jones, Kennedy, Kirkland, McAdory, McDavid, McDuffie, McWhorter, Prowell, Rodgers, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and Welch---52.

Nays---Messrs. Cashin, Hubbard, Hudson, Lewis, Mayberry, McFarlane, McKinstry, Snoddy, Stevens, of Dallas, Stephens, of Perry---10.

Also, reported favorably to the bill---

H. R. No. 326. To provide for the execution by the several chancery courts of certain decrees rendered in cases of equity originating in the circuit courts of the State;

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 57, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harrington, Herndon, Holloway, Hubbard, Jolly, Jones, Kelly,

Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McKinsty, McKleroy, McWhorter, Robinson, Rodgers, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch—57.

Also, from same committee, reported favorably to the bill---

H. R. No. 359. To further secure the rights of aliens to inherit, own and transmit real and personal property within this State;

The bill was ordered to a third reading forthwith, read third time and passed---61, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Beard, Beers, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennop, Gray, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinsty, McKleroy, McWhorter, Rodgers, Ross, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch—61.

Also, favorably to the bill---

H. R. No. 350. To provide a change of venue in certain cases;

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 68, nays 1.

Yeas--Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinsty, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—68.

Nay---Mr. Stevens, of Dallas---1.

Also, reported favorably to the bill---

H. R. No. 393. To provide for the return of books,

heretofore furnished by the State to county solicitors;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 64, nays 0.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Dillon, Espy, Fletcher, Forwood, Foshee, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Ussery, Wall, Welch, White—64.

Also favorably to the bill—

H. R. No. 408. To amend section 2096 of the Revised Code.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 65, nays 2.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Bishop, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Rodgers, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—65.

Nays—Messrs. Mayberry, and Stevens, of Dallas—2.

Also, from same committee, reported favorably with amendment to the bill—

H. R. No. 418. To amend section 2704 of the Revised Code.

Amend by additional section as section 2.

The amendment was adopted, and the bill ordered to a third reading forthwith, read third time and passed—Yeas 69, nays 0.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Bishop, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Fo-

shee, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Rice, Rodgers, Ross, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—69.

Also favorably to the bill—

H. R. No. 493. To amend an act entitled an act to authorize the making of affidavits to claims filed against insolvent estates at any time previous to final settlement.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 66, nays 2.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Bishop, Butler, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Rodgers, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—66.

Nays—Messrs. Stevens, of Dallas, and Stephens, of Perry—2.

Also, from same committee, reported favorably to the bill—

H. R. No. 508. To prevent and punish the exhibition of burglars' tools, instruments or counterfeit money plates, or instruments for effecting escape from prison.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 64, nays 2.

Yeas—Messrs. Speaker, Allen, Baldwin, Beard, Bishop, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McWhorter,

Prowell, Rodgers, Ross, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---64.

Nays---Messrs. Lewis and Snoddy---2.

Mr. Mott moved to adjourn 'till Monday morning 9½ o'clock.

Lost---Yeas 17, nays 53.

Yeas---Messrs. Butler, Cashin, Cunningham, of Monroe, Dean, Denman, Foshee, Gullett, Jones, Lewis, Mayberry, Manasco of Walker, Manasco, of Winston, McKinstry, McDavid, McDonald, McDuffie, Rice and Rodgers---17.

Nays---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Bishop, Brown, Cunningham, of Lauderdale, Crews, Crump, DeLemos, Dillon, Espy, Fletcher, Forwood, Gibson, Gilchrist, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Kelly, Kennedy, Mott, Muldon, McAdory, McFarlane, McKleroy, McWhorter, Prowell, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---53.

Mr. Herndon, from Judiciary Committee, reported a substitute for the bill---

H. R. No. 184. To amend section 3314 of the Revised Code.

The substitute was adopted, the bill ordered to a third reading forthwith, read third time and passed---Yeas 55, nays 4.

Yeas---Messrs. Speaker, Allen, Baxter, Beard, Bishop, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Dillon, Espy, Fletcher, Forwood, Foshee, Gilchrist, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Muldon, McAdory, McDavid, McFarlane, McKinstry, McWhorter, Prowell, Rodgers, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---55.

Nays---Messrs. Lewis, Mayberry, Stevens, of Dallas, and Stephens, of Perry---4.

Also, reported favorably to the Senate bill---

s. No. 125. To amend section 2076 of the Revised Code

Mr. Townsend moved to amend as follows:

Strike out all after the word "provided" in section 1, and insert in lieu thereof the following: That when said ad-

ministrators, executors and guardians cannot rent the lands of decedent or wards for want of such sureties, then they shall be authorized to rent said lands taking such securities and liens as may be by them considered best for the parties interested, and report the same to the probate judge of the county in which said lands are located, subject to said judge of probate's approval or disapproval and the proceeds thereof are assets."

The amendment was adopted, the bill ordered to a third reading, read third time and passed—Yeas 55, nays 9.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Bishop, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Jack, Jolly, Kelly, Kennedy, Muldon, McAdory, McDavid, McFarlane, McKinstry, McWhorter, Prowell, Rodgers, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—55.

Nays—Messrs. Hubbard, Hudson, Lewis, Mayberry, Mott, McKleroy, Snoddy, Stevens, of Dallas, Stephens, of Perry—9.

Also, reported favorably with amendment to the bill—

H. R. No. 558. To punish persons engaged in mercantile business who under a false pretense of carrying on trade, obtains money or other things of value with intent to defraud—

Amend by adding:

And any person violating the provisions of this act may be indicted and tried in the county in which he resides, or in any county in which he brings or causes to be brought any of such money, goods or chattels."

The amendment was adopted, the bill ordered to a third reading forthwith, read the third time and passed—Yeas 53, nays 2.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Bishop, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Dillon, Fletcher, Forwood, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Manasco, of Winston, Muldon, McAdory, McDavid, McFarlane, McKinstry, McWhorter,

Prowell, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—53.

Nays—Messrs. Mayberry, Stevens, of Dallas, and Stephens, of Perry—3.

The title was amended by striking out the word "mercantile."

By leave, Mr. Dillon, from the Committee on Education, reported favorably to the bill—

H. R. No. 569. For the relief of John D. Hudson, former Superintendent of Education for Covington county.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 58, nays 2.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Dillon, Espy, Fletcher, Forwood, Gilchrist, Gullet, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Manasco, of Winston, Muldon, McAdory, McFarlane, McKinstry, McKleroy, Prowell, Rice, Ross, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—58.

Nays—Messrs. Bishop, and Mayberry—2.

Mr. Herndon, from the Committee on Judiciary, reported favorably to the bill—

H. R. No. 549. In relation to employment of Counsel by the Governor to represent the State of Alabama.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 50, nays 2.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Bishop, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, DeLemos, Dillon, Espy, Fletcher, Forwood, Gilchrist, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Muldon, McAdory, McDavid, McFarlane, McKleroy, Prowell, Ross, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—50.

Nays—Messrs. Baldwin and Cashin—2.

Also, from same committee, reported favorably with amendment to the bill—

H. R. No. 505. To amend section 1615 of the Revised Code.

Amend section 1 by adding the following: "Provided

that such conveyance shall not be conclusive but only *prima facie* evidence as against minor heirs or creditors."

The amendment was adopted, the bill ordered to a third reading forthwith, read third time and passed—Yeas 58, nays 2.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Bishop, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, DeLemos, Dillon, Espy, Fletcher, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Johnston, Kelly, Kennedy, Manasco, of Winston, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Rice, Ross, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—58.

Nays—Messrs. Lewis and Stephens, of Perry—2.

Also, favorably to the bill—

H. R. No. 513. To amend section 2569 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 57, nays 3.

Yeas—Messrs. Allen, Baldwin, Baxter, Beard, Bishop, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, DeLemos, Dillon, Espy, Fletcher, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Ross, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—57.

Nays—Messrs. Mayberry, Stevens, of Dallas, Stephens, of Perry—3.

Also, reported favorably to the bill—

H. R. No. 310, To amend section 2992 of the Revised Code.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 57, nays 3.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Bishop, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, DeLemos, Dillon, Doster, Espy, Fletcher, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly,

Jones, Johnston, Kelly, Kennedy, Manasco, of Winston, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Ross, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---57.

Nays---Messrs. Lewis, Mayberry and Stevens, of Dallas---3.

Also, reported favorably to the bill---

H. R. No. 323. To amend an act to regulate the publication of legal notices in this State.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 56, nays 2.

Yeas---Messrs. Speaker, Allen, Baldwin, Baxter, Beard, Bishop, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, DeLemos, Dillon, Espy, Fletcher, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Rice, Ross, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---56.

Nays---Messrs. Hobson, Lewis and Stevens, of Dallas---3.

On motion of Mr. Hubbard, the House adjourned until to-morrow morning 9½ o'clock.

FIFTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Monday, February 5, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Hacht, of Montgomery.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansbur-

ger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Rice, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch, White.

On motion of Mr. Jolly the reading of the journal of Saturday was dispensed with.

Mr. Jolly offered joint resolution;

H. R. No. 597. Appointing joint committee on subject of reducing taxation.

The resolution was adopted.

Committee on part of the House—Messrs. Jolly, Hubbard and Brown.

Mr. Harrington offered the following resolution which was adopted—

Resolved, That the Standing Committees shall, after reporting all general house bills, report special house bills, before proceeding to report Senate bills, (but only to apply to-day.)

Mr. Rice presented petition of ladies, citizens of Montgomery, asking for the passage of a law, prohibiting railroad companies from running freight trains on Sundays.

Which was read, and it was ordered that it lie on the table.

On motion of Mr. Glennon the special order for this hour, viz: S. B. 242, was postponed and made the special order for to-morrow, immediately after the reading of the journal.

The Senate bill—

s. No. 281. To prevent the running of freight trains on railroads on Sundays;

Was read the second time and referred to the Judiciary Committee.

REPORTS FROM COMMITTEES.

Mr. Herndon, from Judiciary Committee, reported favorably with amendment to the bill—

H. R. No. 308. For the appointment of two judges of the supreme court, *pro tempore*, in certain cases.

Amend by additional section as section 2.

The amendment was adopted, and the bill was ordered to a third reading forthwith, read third time and passed—Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Booth, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Rice, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Perry, Taylor, Townsend, Ussery, Wall, Welch, White—70.

Mr. Herndon, from same Committee, reported favorably to the bill—

H. R. No. 280. To prevent the levy of an execution, or attachment, on the crop of a tenant in certain cases.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Welch and White—75.

Mr. Herndon, from same committee, reported a substitute for the bill—

H. R. No. 347. To amend section 841, of the Revised Code.

The substitute was adopted, and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 68, nays 9.

Yeas—Messrs. Speaker, Allen, Baxter, Beard, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Darden, Dean, Denman, Denson, Dillon, Espy, Fletcher, Forwood,

George, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Hobson, Hollis, Hollo-way, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Speeke, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—68.

Nays—Messrs. Baker, Baldwin, Booth, Foshee, Gullett, Hansburger, Johnston, Mott and Stephens, of Perry—9.

Mr. Stephens, of Perry moved to reconsider the vote by which the House passed the Senate bill—

s. No. 191. To amend section 49, of the Revised Code, which, on motion of Mr. Jolly, was laid on the table.

Leave of absence was granted Mr. Manasco, of Walker, on account of sickness, for to-day.

MESSAGE FROM SENATE.

SENATE CHAMBER, February 5, 1877.

Mr. Speaker :

The Senate has passed House bills as follows :

H. R. No. 351. To repeal an act entitled an act to declare Rea river, between Russell's and Winslow's bridges, in Coffee county, a lawful fence.

H. R. No. 426. To repeal an act entitled an act to authorize the commissioners court of Barbour county to levy a tax for county purposes, approved December 7, 1866.

H. R. No. 516. To authorize the city council of Eufaula to adjust and settle all claims of indebtedness now outstanding against said city.

H. R. No. 470. To regulate the letting of contracts for public works in the county of Sumpter.

And has amended as therein shown, and passed the bill—

H. R. No. 488. To regulate the terms of the courts in the first judicial circuit of Alabama.

And has passed House bills—

H. R. No. 329. To amend section 13, of an act, approved January 20th, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson.

H. R. No. 312. To authorize and empower the court of county commissioners of Barbour county to compromise and set-

tle the bonded indebtedness of said county, incurred for stock subscribed by said county to the Vicksburg and Brunswick Railroad Company.

H. R. No. 570. To extend the provisions of the stock law to the whole of Letohatchie beat.

And has originated and passed bills as follows:

s. No. 20. To amend section 4171, 4173, 4177 and 4179 of the Revised Code of Alabama.

s. No. 398. To amend section 4438 of the Revised Code.

J. M. CARMICHAEL,
Secretary.

REPORTS RESUMED.

Mr. Herndon, from same committee, reported favorably to the bill---

H. R. No. 447. To authorize executors and administrators to defray out of the assets of estates in their hands, undistributed, the necessary and reasonable expenses of the maintenance and education of minors who have no guardians, &c.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 68, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Betts, Bishop, Booker, Booth, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, Denson, Dillon, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---68.

Also, from same committee, reported favorably to the bill---

H. R. No. 313. To repeal subdivision 5, of section 2064 of the Revised Code.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 71, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Brodnax, Caldwell,

Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Lewis, Mayberry, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Rodgers, Ross, Saunders, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, White—71.

Mr. Herndon, from same committee, reported favorably to the bill—

H. R. No. 457. To authorize executors and administrators to purchase lands when sold to pay the purchase money.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 77, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, DeLemos, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—77.

Nays—Messrs. Lewis and Stephens, of Perry—2.

Mr. Herndon, from same committee, reported favorably to the bill—

H. R. 515. To amend the act to authorize letters testamentary to be issued to persons who are non-residents of this State, approved February 17, 1876.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett,

Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---72.

Also, from same committee, reported favorably to the bill---

H. R. No. 229. To repeal section 2801 of the Revised Code.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 73, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Rodgers, Ross, Saunders, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---73.

Also, favorably to the bill---

H. R. No. 543. Making an appropriation for the use of the supreme court library by the members of the General Assembly and officers of this State,

Mr. Brown moved to amend by striking out \$1,000 and inserting \$500.

Adopted.

Mr. Booth moved to suspend the further consideration of the bill and make it the special order for Wednesday next, 12 m.

Lost.

The bill was then ordered to a third reading forthwith, read third time and passed---Yeas 44, nays 39.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crump, Dean, Denson, DeLemos, Espy, George, Gilchrist, Gilmer, Glennon, Grove, Harris,

Herndon, Hobson, Holloway, Jack, Jolly, Jones, Mayberry, Muldon, McAdory, McFarlane, McKleroy, Prowell, Rice, Rodgers, Ross, Speake, Stephens, of Perry. Taylor, Titcomb, Townsend,—44.

Nays—Messrs. Beard, Bishop, Booth, Cunningham of Lauderdale, Darden, Denman, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glenn, Gray, Griffin, Harrington, Hollis, Hubbard, Hudson, Jackson, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Winston, Mott, McDonald, McDuffie, McKinstry, McWhorter, Ramsey, Saunders, Smith, Snoddy, Stevens, of Dallas, Ussery, Wall, Welch, White—39.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 5, 1877.

Mr. Speaker :

The Senate has originated and passed the following bill and ordered the same forthwith to the House without engrossing :

s. No. 376. To create the office of commissioner of swamp and overflowed land, and to define the duties thereof.

J. M. CARMICHAEL,
Secretary.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bills, and the Speaker in the presence of the House, and immediately after their titles had been publicly read, signed said bills.

H. R. No. 456. To prescribe additional duties for the treasurer of Geneva county.

H. R. No. 363. To change the boundary line between the counties of Bullock and Montgomery.

H. R. No. 544. To amend section 12 of an act entitled an act to establish the city court of Eufaula, approved February 14, 1870.

H. R. No. 455. To reduce the number of grand and petit jurors in Geneva county.

H. R. No. 344. To repeal an act entitled an act to authorize and require the mayor and council of the town of Union Springs to levy and collect a tax to pay the bonds

issued by the corporate authorities of said town, approved December 16, 1871.

H. R. No. 519. To authorize the commissioners' court of Bibb county to build a bridge over the Cahaba river, opposite the town of Centreville, to appoint trustees thereof, to issue and sell bonds of the county, and to secure said bonds by mortgage.

H. R. No. 335. To amend section 2329 of the Revised Code.

H. R. No. 349. For the relief of M. A. Cooke, of Dale county.

H. R. No. 468. To repeal an act entitled an act to compensate jurors and witnesses in Monroe county.

Mr. Herndon, from Judiciary Committee, reported favorably to the bill—

H. R. No. 336. To amend section 3697 of the Revised Code.

Mr. Harris moved to amend by striking out the words "punished by death."

On motion of Mr. Hobson, the amendment was laid on the table.

Mr. Hobson moved to amend by striking out "ten years," and inserting "twenty years."

Mr. Harris moved to lay the amendment on the table.

Lost.

And the amendment was adopted.

The bill as amended, was ordered to a third reading forthwith, read third time and passed—Yeas 77, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---77.

Nays---Mr. Stephens, of Perry---1.

Also, from same committee, reported favorably to the bill—

H. R. No. 391. To amend section 3668 of the Revised Code.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 73, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Rice, Robinson, Rodgers, Saunders, Smith, Speake, Taylor, Townsend, Ussery, Wall, Welch, White—73.

Nays—Messrs. Ross, Stephens, of Perry—2.

Also, reported favorably to the bill—

H. R. No. 362. To amend section 3654 of the Revised Code ;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 77, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, Denson, DeLemos, Dillon, Espy, Fletcher Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—77.

Nay—Mr. Stephens, of Perry—1.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 5, 1877.

Mr. Speaker:

The Senate has originated and passed the following bill, and ordered the same forthwith to the House without engrossing :

s. No. 384. To settle the claims of Alexander White and John White for professional services rendered the State.

J. M. CARMICHAEL,
Secretary.

Mr. Herndon, from Judiciary Committee, reported favorably to the bill—

H. R. No. 360. To amend section 3658 of the Revised Code;

The bill was ordered to a third reading forthwith, read third times and passed—Yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Baldwin, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, White—75.

SIGNING SENATE BILLS.

The Speaker in the presence of the House and immediately after the titles thereof had been publicly read, signed the following Senate bills:

s. No. 220. To amend the 9th, 12th and 15th sections of the act to incorporate the city of Greenville, approved March 9, 1871.

s. No. 183. To amend section 71 of an act to regulate elections in this State, approved March 3, 1875.

s. No. 292. For the relief of Thomas J. Nicholson, of DeKalb county.

SPECIAL ORDER.

The special order, viz., Senate bill No. 284, was taken up.

Mr. Herndon moved to postpone and make it the special order for 12 M. Wednesday.

Agreed to.

REPORTS FROM COMMITTEES RESUMED.

Mr. Glennon, from the Judiciary Committee, reported favorably to the bill---

H. R. No. 361. To amend section 3661 of the Revised Code;

The bill was ordered to a third reading forthwith, read time and passed---Yeas 80, nays 0.

Yeas---Messrs. Speaker, Allen, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Townsend, Ussery, Wall, Welch, White---80.

Mr. Herndon, from said committee, reported favorably to the bill---

H. R. No. 346. Regulating the fine and forfeiture fund of Bibb county.

Mr. Bishop moved to amend by including Marion county.

Mr. Kirkland moved to amend by including Fayette county.

Mr. Crump moved to amend by including Blount county.

The amendments were severally adopted.

The bill ordered to a third reading forthwith, read the third time and passed---Yeas 78, nays 0.

Yeas—Messrs. Speaker, Allen, Beers, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Rice, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—78.

The title was amended to correspond.

Mr. Herndon, from same committee, reported a substitute for the bills H. R. No. 122, H. R. No. 176 and H. R. No. 183.

The substitute being entitled—

H. R. No. 122. To abolish the office of tax collector in the counties of Baldwin and Colbert.

Mr. Speake moved to amend by striking out the "county of Lawrence."

Adopted.

On motion of Mr. Hollis, Sanford county was added;

And the bill ordered to a third reading forthwith, read third time and passed—Yeas 76, nays 5.

Yeas—Messrs. Speaker, Allen, Beard, Beers, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weathford, Welch, White—76.

Nays—Messrs. Blevins, Johnston, Lewis, Mayberry and Stevens, of Dallas—5.

The title was amended to correspond.

Also, from same committee, favorably to the bill—

H. R. No. 453. To amend the act relating to sheriff's sales in Sumter county, approved January 1, 1840 ;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 59, nays 0.

Yeas—Messrs. Allen, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Foshee, George, Gibson, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Robinson, Rodgers, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Wall, Weatherford, Welch, White—59.

Also, from same committee, reported favorably, with amendment, to the bill—

H. R. No. 484. To abolish office of tax collector of the county of Bibb, and to require the sheriff of said county to collect the said taxes.

Amend by making the act apply also to Colbert county.

Amend title to correspond.

The amendments were adopted ;

And the bill ordered to a third reading forthwith, read third time and passed—Yeas 56, nays 3.

Yeas—Messrs. Allen, Bishop, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, DeLemos, Dillon, Espy, Forwood, Foshee, George, Gibson, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Muldon, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Rodgers, Ross, Smith, Snoddy, Speake, Townsend, Ussery, Wall, Weatherford, Welch, White—56.

Nays—Messrs. Blevins, Johnston, Mayberry—3.

Also, from same committee, reported favorably to the bill—

H. R. No. 530. To fix the time of holding the circuit court in the county of Cullman, of fifth judicial circuit.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 68, nays 0.

Yeas—Messrs. Allen, Beard, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Den-

man, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Gray, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, Muldon, McAdory, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Rice, Ross, Saunders, Smith, Snoddy, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, White—68.

The special order, viz: H. R. No. 364, was postponed until 3½ P. M.

Mr. Herndon, from the Judiciary Committee, reported favorably with amendment to the bill—

H. R. No. 436. To consolidate the offices of tax assessor and tax collector of Crenshaw county.

Amend first section by way of substitute.

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 61, nays 6.

Yeas—Messrs. Allen, Beard, Beers, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Foshee, George, Gibson, Gilchrist, Gilmer, Glenn, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Lewis, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Rodgers, Saunders, Smith, Snoddy, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Weatherford, Welch and White—61.

Nays—Messrs. Blevins, Forwood, Gullett, Gray, Holloway and Ross—6.

Also, from same committee, favorably to the bill—

H. R. No. 303. To regulate the trial of misdemeanors in Madison county.

Mr. Fletcher moved to amend as follows:

Amend by additional sections as sections 9 and 10.

The amendments were adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 66, nays 0.

Yeas—Messrs. Allen, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon,

Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKleroy, Prowell, Ramsey, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Ussery, Wall---66.

Also, from same committee, favorably to the bill—

H. R. No. 333. To change the time of holding the Spring term of the circuit court of Madison county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 64, nays 0.

Yeas—Messrs. Allen, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Winston, Mott, McDavid, McDonald, McFarlane, McKleroy, McWhorter, Prowell, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—64.

Also, favorably to the bill—

H. R. No. 370. To allow the surplus of the bridge fund of 1876 of Pike county to be appropriated to pay claims for repairs of the court house.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 62, nays 0.

Yeas—Messrs. Allen, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Darden, Denman, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKleroy, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Townsend, Ussery, Wall, Weatherford, Welch—62.

Also, favorably to the bill—

H. R. No. 441. To authorize and require the Board of Revenue of Montgomery county to discharge the duties

and exercise the authority of the court of the court of county commissioners of said county.

Mr. Cashin moved to lay the bill on the table.

Lost.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 56, nays 10.

Yeas—Messrs. Speaker, Allen, Beers, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Holloway, Hubbard, Jack, Jackson, Jolly, Kelly, Kirkland, Mott, McAdory, McDuffie, McFarlane, McKleroy, McWhorter, Prowell, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—56.

Nays—Messrs. Baldwin, Blevins, Cashin, Gilmer, Gullett, Harris, Manasco, of Winston, Snoddy, Stevens, of Dallas and Stephens, of Perry—10.

Mr. Herndon, from same committee, reported favorably to the bill—

H. R. No. 472. To abolish the court of county commissioners of Wilcox county.

Mr. Baldwin moved to amend as follows:

“Provided that the provisions of this act shall not take effect until the expiration of the term of office of the present incumbent.”

The amendment was adopted, and the bill ordered to a third reading forthwith, read third time and passed—Yeas 68, nays 9.

Yeas—Messrs. Allen, Baxter, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—68.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 3, 1877.*Mr. Speaker :*

The Governor has approved the following bills, which originated in the House of Representatives:

No. 192. An act to establish a court of county revenue for Wilcox county.

No. 381. An act to amend section 12, of chapter 6, of an act to establish a Revenue Code for the State of Alabama, approved March 6th, 1876.

No. 244. An act for the relief of the Troy Light Guards.

No. 371. An act to provide for the election of officers in the town of Orion.

No. 314. An act to repeal an act entitled an act to repeal section 4031 of the Revised Code, so far as it relates to Coffee and Geneva counties, so far as said act relates to the county of Coffee, and to revive and re-enact said section 4031 of the Revised Code.

No. 328. An act to amend an act to regulate the payment of all the claims against the fine and forfeiture fund of Clarke county, and to make the same receivable for fines due the county and for the hire of convicts, approved March 19th, 1875.

No. 129. An act to define and regulate the responsibility of railroads for damages to live stock or cattle of any kind.

No. 259. An act to reorganize the San Juan Mining Company of Mobile, and to extend the powers thereof.

No. 249. An act to authorize the executors of the last will and testament of Rufus H. Clements, deceased, to sell certain lands in Tuscaloosa, at private sale.

No. 191. An act to repeal an act to increase the *per diem* of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington counties, so far as it relates to Washington county.

No. 281. An act to prevent the killing, disabling, disfiguring, destroying or injuring of certain animals.

No. 266. An act to amend the act entitled an act to provide for the impeachment and removal from office of

the officers mentioned in section 2, and section 3, of article 7, of the constitution of Alabama.

Respectfully,

IKE H. VINCENT,
Private Secretary.

On motion of Mr. Brown, the House took a recess until 3½ P. M.

EVENING SESSION.

The House reassembled at at 3½ P. M.

The Senate bills—

s. No. 20. To amend sections 4171, 4173, 4177 and 4179 of the Revised Code.

s. No. 376. To create the office of Commissioner of swamp and overflowed lands, and to define the duties thereof.

s. No. 398. To amend section 4438, of the Revised Code.

s. No. 384. To settle the claims of Alexander White and John White, for professional services rendered the State.

s. No. 386. To regulate the pay of jurors in Clay county.

Were severally read once and ordered to a second reading ou to-morrow.

Leave of absence was granted Mr. Shields for three days.

The special order, viz., the bill—

H. R. No. 364. To change the boundary line of Pike county was taken up.

The amendment pending was adopted.

On motion of Mr. Jolly, the bill was laid on the table.

Mr. Herndon, from the committee of judiciary, reported favorably with amendment to the bill—

H. R. No. 581. To consolidate the offices of circuit clerk and tax assessor, in and for the county of Escambia.

Amend the 3d section by striking out all of said section after the word "that" in first line and inserting the following words: "This act shall not take effect until the expiration of the term of office of the present tax assessor."

The amendment was adopted, the bill ordered to a third reading, forthwith, read third time and passed—Yeas 77, nays 4.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Booth, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinsty, McKleroy, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---72.

Nays—Messrs. Blevins, Johnston, Mayberry and Stephens, of Perry—4.

Also, reported favorably to the bill—

H. R. No. 511. To abolish the office of tax collector of the county of Morgan, and provide for the performance of the duties pertaining to the same.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 78, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinsty, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Shields, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—78.

Nays---Messrs. Blevins, and Stephens, of Perry---2.

Also, reported favorably to the bill—

H. R. No. 510. To abolish the office of county treasurer of Morgan county and provide for the performance of the duties pertaining to the same.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 79, nays 2.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Mon-

roe, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White---79.

Nays---Messrs. Blevins, and Stevens, of Dallas---2.

SIGNING SENATE BILL.

The Speaker in the presence of the House, immediately after the title thereof had been publicly read, signed the following Senate bill---

s. No. 250. To amend section 2293 of the Revised Code.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 5, 1877.

Mr Speaker :

The Senate has amended as therein shown and passed House bill---

H. R. No. 379. To declare a lien in favor of wood workmen and blacksmiths.

And has passed---

H. R. No. 464. To change the boundary line between the counties of Pike and Crenshaw.

J. M. CARMICHAEL.

Secretary.

Mr. Herndon, from the Judiciary Committee, reported adversely to the bill---

H. R. No. 318. To further provide for the advertisement of all probate business.

Mr. Harrington moved to lay the report on the table.

Lost.

The report was concurred in.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Feb. 5, 1877.

Mr. Speaker:

The Governor has approved the following bills, which originated in the House of Representatives:

H. R. No. 335. An act to amend section 2329 of the Revised Code.

H. R. No. 456. An act to prescribe additional duties for the treasurer of Geneva county.

H. R. No. 455. An act to reduce the number of grand and petit jurors in Geneva county.

H. R. No. 468. An act to repeal an act entitled an act to compensate jurors and witnesses in Monroe county.

H. R. No. 363. An act to change the boundary line between the counties of Bullock and Montgomery.

H. R. No. 544. An act to amend section 12 of an act entitled an act to establish the city court of Eufaula, approved February 14, 1870.

H. R. No. 344. An act to repeal an act entitled an act to authorize and require the mayor and council of the town of Union Springs to levy and collect a tax to pay the bonds issued by the corporate authorities of said town, approved December 16, 1871.

H. R. No. 519. An act to authorize the commissioners court of Bibb county to build a bridge over the Cahaba river, opposite the town of Centreville, to appoint trustees thereof, to issue and sell bonds of the county and to secure said bonds by mortgage.

Very respectfully,

IKE H. VINCENT,

Private Secretary.

Mr. Herndon, from the Judiciary Committee, reported adversely to the bill---

H. R. No. 139. To prohibit judges of probate courts from keeping the books, records, papers, &c., and from performing the duties of their offices in rooms which are used for storing and selling merchandise.

The report was concurred in.

Mr. Betts, from the Committee on Ways and Means, reported favorably, with amendment, to the bill---

H. R. No. 130. To encourage the prompt payment of State and county taxes in this State.

Amend by striking out all that relates to payment before the first day of January.

And also the proviso relating to the time at which the act shall take effect.

After the word "taxes" in the fourth line insert "after the first day of November and."

The amendments were adopted and the bill ordered to a third reading forthwith, read the third time and passed---Yeas 48, nays 24.

Yeas---Messrs. Allen, Baker, Beers, Betts, Bishop, Butler, Cunningham, of Lauderdale, Crews, Darden, Dean, Denson, Espy, Fletcher, Forwood, Foshee, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Kelly, Kennedy, Kirkland Muldon, McDavid, McDuffie, McFarlane, McKleroy, McWhorter, Ramsey, Ross, Saunders, Snoddy, Speake, Taylor, Titcomb, Townsend, Welch and White---48.

Nays---Messrs. Baxter, Beard, Booker, Booth, Blevins, Brown, Caldwell, Crump, Denman, Dillon, Doster, George, Gibson, Hansburger, Hobson, Jones, Johnston, Manasco, of Winston, McAdory, McKinstry, Smith, Stephens, of Perry, Ussery and Wall---24.

Also, from same committee, favorably to the bill---

H. R. No. 421. To amend section 9 of chapter 4 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 67, nays 0.

Yeas---Messrs. Allen, Baxter, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, Ramsey, Ross, Shields, Smith, Snoddy Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford and White---67.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills:

H. R. No. 400. To incorporate the town of Marion in Perry county as a separate public school district.

H. R. No. 487. To require the payment to the County Superintendent of Education of Franklin county, of the balance of the school fund due to said county on the apportionment for the scholastic year 1871-2.

H. R. No. 570. To extend the provisions of the stock law of Lowndes county to the whole of Letohatchee beat.

H. R. No. 555. To authorize and empower the court of county commissioners of Tallapoosa county to levy a special tax at special term of said court.

H. R. No. 401. To amend section 20 of an act entitled an act to establish a new charter for the town of Marion in the county of Perry, approved February 16, 1870.

H. R. No. 329. To amend section 13 of an act approved January 20th, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson.

H. R. No. 470. To regulate the letting of contracts for public works in the county of Sumter.

REPORTS RESUMED.

Mr. Betts, from same committee, reported a substitute for the bill--

H. R. No. 263. To authorize the commissioners courts to levy special tax, &c.

H. R. No. 263. The substitute entitled an act to regulate the levy of special taxes by commissioners courts.

The substitute was adopted and the bill was ordered to a third reading forthwith, read the third time and passed-- Yeas 67, nays 1.

Yeas--Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hausburger, Harrington, Hollis, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McFarlane, McKinsty, McKleroy, McWhorter, Prowell, Ross, Saun-

ders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White--67.

Nay---Mr. Stephens, of Perry---1.

Mr. Betts, from same committee, reported favorably to the bill---

H. R. No. 383. To amend subdivision 1 of section 7 of chapter 9 of the Revenue Code.

Mr. Muldon moved to amend by striking out the words "and less than ten thousand inhabitants"; also the words "any city over ten thousand inhabitants, three hundred dollars."

Mr. Blevins moved to lay the amendment on the table.
Lost.

The amendment was adopted, the bill ordered to a third reading forthwith, read the third time and passed---Yeas 74, nays 2.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Winston, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---74.

Nays---Messrs. Blevins and Stephens, of Perry---2.

Also from same committee favorably to the bill---

H. R. No. 385. To amend subdivision 18 of section 7 of chapter 9 of the act to establish a Revenue Code, &c.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 74, nays 2.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Johnston, Kennedy, Kirkland, Mayberry, Manasco, of

Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White—74.

Nays—Messrs. Stevens, of Dallas and Stephens, of Perry—2.

Also from same committee reported a substitute for the bill—

H. R. No. 300. To amend subdivision 6 of section 4 of chapter 3 of the Revenue Code.

Mr. Jolly moved to amend by striking out the words "upon all salaries of public officers, and all other persons of one thousand dollars, and upwards."

Which, on motion of Mr. Beers, was laid on the table.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed—Yeas 63, nays 4.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Denman, Denson, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hudson, Jack, Jackson, Jolly, Kelly, Kennedy, Kirkland, Mayberry, Muldon, McAdory, McDavid, McDuffie, McFarlane, McWhorter, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Titcomb, Ussery, Wall, Welch and White—63.

Nays—Messrs. Gilmer, McKleroy, Stevens, of Dallas, and Stephens, of Perry—4.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 5, 1877.

Mr. Speaker :

The Senate has originated and passed bills as follows :

s. No. 377. To release from taxation notes and mortgages given by members of building and loan associations to such associations for advances on stock ;

s. No. 381. For the relief of Julia K. Coleman, Agnes E. Myers, William Haley, A. M. Crum and B. M. Cartledge, of Butler county ;

Which were ordered to the House forthwith without engrossment.

Also has originated and passed and ordered forthwith to the House the bills---

s. No. 375. To provide for the payment of the obligations of the State issued in pursuance of the act approved December 19, 1873, to provide for the funding of the domestic debt of the State.

s. No. 391. To amend an act to establish the Canebrake Agricultural District to provide for the securing the same and the management of its affairs, approved February 20, 1866.

J. M. CARMICHAEL,
Secretary.

The Senate bills just received, viz.: Nos. 377, 381, 375 and 391;

Were taken up and severally read once and ordered to a second reading to-morrow.

REPORTS RESUMED.

By leave, Mr. Dillon, from the Committee on Education, reported a substitute for the bill---

H. R. No. 477. To adjust and settle the claims outstanding against the educational department of the State prior to the first day of October, 1874.

The substitute was adopted, the bill ordered to a third reading forthwith, read the third time and passed—Yeas 68, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beers, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, Deson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Winston, Muldon, McAdory, McDuffie, McKleroy, McWhorter, Robinson, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Titcomb, Ussery, Wall, White—68.

Nays—Messrs. Ross and Stevens, of Dallas—2.

On motion of Mr. Harrington, the regular order of business was suspended for the purpose of taking up the amendments of the Senate to the bill—

H. R. No. 174. To reduce the rate of taxation in this State.

The House refused to concur---Yeas 6, nays 66.

Yeas---Messrs. Speaker, Baker, Crews, Denson, Harrington, Muldon, Prowell---7.

Nays---Messrs. Baldwin, Baxter, Beard, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Winston, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Titcomb, Ussery, Wall, White---66.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill---

H. R. No. 512. To amend section 2 of chapter 4 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 67, nays 1.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Betts, Bishop, Booker, Butler, Blevins, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilmer, Goldthwaite, Gullett, Glennon, Gray, Griffin, Hansburger, Harrington, Herndon, Hobson, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Titcomb, Ussery, Wall, White---67.

Nay---Mr. Stevens, of Dallas.

The title was amended by striking out the words "chapter 4," and inserting "chapter 5," the figure 4 having been inserted by mistake.

Also, reported favorably to the bill---

H. R. No. 384. To amend subdivision 20, section 7, chapter 9, of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Mr. Blevins, moved to amend by striking out 30 and inserting 10 dollars.

Which, on motion of Mr. Muldon, was laid on the table.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 57, nays 4.

Yeas---Messrs. Speaker, Allen, Bishop, Booker, Butler, Brodnax, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denson, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glennon, Gray, Griffin, Hansburger, Harrington, Herndon, Hobson, Holloway, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Titcomb, Wall, White---57.

Mr. Blevins moved to take a recess until 8 o'clock.

Lost.

Mr. Betts, from Committee on Ways and Means, reported favorably to the bill—

H. R. No. 382. To amend snbdivision 22, of section 7, of chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

Mr. Betts moved to amend by inserting the word “exclusively,” before the words “for charitable purposes,” where they occur in the 11th line of section 1.

Adopted.

The bill was ordered to third reading forthwith, read third time and passed---Yeas 61, nays 2.

Yeas---Messrs. Speaker, Allen, Baxter, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, White---61.

Nays---Messrs. Blevins, Johnston---2.

Also, from same committee, reported favorably to the bill

H. R. No. 387. To amend paragraph 6 of section 1, chapter 2 of the Revenue Code.

Mr. Muldon moved to amend by striking out “five thousand” and inserting “twenty thousand.”

Mr. Hubbard moved to strike out all after the word “town,” in section 1, and insert “now organized and while the same remain in actual organization.”

Mr. Blevins moved to table the amendment of Mr. Hubbard.

Lost.

And the amendment was adopted.

Mr. Harrington moved to amend by exempting township trustees.

Lost:

On motion of Mr. Johnston, the bill was laid on the table.

Mr. Betts, from same committee, reported favorably to the bill—

H. R. No. 406. To amend section 3556 of the Revised Code ;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 49, nays 15.

Yeas—Messrs. Speaker, Betts, Bishop, Butler, Brodnax, Brown, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullet, Glennon, Gray, Griffin, Hansburger, Harrington, Hobson, Hubbard, Jack, Jackson, Jolly, Kelly, Kirkland, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, Ross, Saunders, Smith, Stephens, of Perry, Titcomb, Townsend, Usery, Wall, White—49.

Nays—Messrs. Booker, Caldwell, Cashin, Doster, Gilmer, Herndon, Holloway, Jones, Johnston, Mayberry, McKleroy, Prowell, Snoddy, Speake, Stevens, of Dallas—15.

Mr. Herndon, from Judiciary Committee, reported favorably to the bill—

H. R. No. 200. To prevent delay in the trial of certain chancery cases ;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Baxter, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Mott, Muldon, McAdory, McDavid, McFarlane, McKinsstry, McKleroy, Prowell, Ross, Saunders, Smith, Speake, Stephens, of Perry, Titcomb, Townsend, Usery, Wall and White—64.

The title of the bill was amended so as to read as follows:

H. R. No. 200. To provide for a change of venue in chancery causes in certain causes.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the bill—

H. R. No. 307. For the relief of Walter T. Stringer, a blind man of Clarke county;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 64, nays 4.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Hansburger, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, White—64.

Nays—Messrs. Bishop, Gilmer, Stevens, of Dallas, Stephens, of Perry—4.

By leave, Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 571. To allow Jas. M. Roberts, a disabled Confederate of Cleburne county, to peddle without license;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 56, nays 7.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Mayberry, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, Prowell, Saunders, Smith, Speake, Stevens, of Coffee, Titcomb, Townsend, and White—59.

Nays—Messrs. Bishop, Cashin, Gilmer, Johnston, Stevens, of Dallas, Stephens, of Perry and Ussery—7.

On motion of Mr. Cunningham, of Lauderdale, the regular order of business was suspended for the purpose of taking up the amendments of the Senate to the bill—

H. R. No. 379. To declare a lien in favor of wood-workmen and blacksmiths.

Mr. Cunningham moved to amend the Senate amendment by striking out the words "it accrues," and inserting "when the account becomes due."

Adopted.

And the amendment as thus amended was concurred in—Yeas 68, nays 0.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Hansburger, Herndon, Hobson, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, Prowell, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Titcomb, Townsend, Ussery, Weatherford, and White—68.

Mr. Betts, from the Committee on Ways and Means, reported adversely to the bill—

H. R. No. 58. To amend section 7, chapter 11, of the Revenue Code.

The House refused to concur in the adverse report.

Mr. Kennedy moved to amend by adding the following:

"Provided further, that the city council of Opelika may assess, levy and collect a license tax on the keepers of livery stables, of meats markets, and those engaged in the business of running drays and hacks for hire," and accompanied the same with evidence of publication of notice.

The amendment was adopted.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 36, nays 28.

Yeas—Messrs. Speaker, Allen, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Dean, Denman, DeLemos, Dillon, Doster, Espy, Forwood, George, Gibson, Gilchrist, Glennon, Gray, Griffin, Hansburger, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, Muldon, McDavid, McKinstry, Titcomb, Townsend, Weatherford—36.

Nays—Messrs. Baldwin, Baxter, Betts, Bishop, Butler, Blevins, Denson, Fletcher, Gilmer, Goldthwaite, Gullett,

Harrington, Hubbard, Hudson, Jackson, Johnston, Mayberry, McAdory, McFarlane, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery, White—28.

Mr. Gibson, from special committee reported favorably to the bill---

s. No. 358. To amend section one of an act to incorporate the town of Ashland in the county of Clay, approved February 17, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 58, nays 4.

Yeas---Messrs. Speaker, Allen, Baxter, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Griffin, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinsstry, McKleroy, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Titcomb, Ussery, Weatherford, and White---58.

Nays---Messrs. Blevins, Gilmer, Stevens, of Dallas, and Stephens, of Perry---4.

Mr. Jolly, from the Committee on Corporations, reported a substitute for the bill---

H. R. No. 566. To provide for the funding of the debts of municipal corporations.

On motion of Mr. Herndon, the further consideration of the report was postponed till to-morrow morning immediately after the first special order is disposed of.

Mr. McKleroy submitted the following report, and it was ordered to be spread upon the journal:

Mr. Speaker:

Having voted against the bill to be entitled, "an act to organize and regulate a system of public instruction for the State of Alabama," which passed the House on the 26th ult., I respectfully submit the following reasons for my dissent to the same, and ask that they be entered on the journal:

The bill as it passed, was, except as to the first three articles, a substitute for the original bill which was introduced with the above named title, and, is so entirely different from said original bill it seems to me that even the caption

of that bill is inappropriate to it. The main idea of the substitute seems to be how best to *distribute* the money which by the constitution and laws is to be appropriated for public education, rather than how best to organize and regulate a system of free public schools.

While this bill retains the office of county superintendent nominally, it dispenses with nearly all the important duties which should devolve upon such an officer, and which are of infinitely more importance than the office itself. It gives the county superintendent no supervision of the schools, nor of their establishment, nor of contracts with teachers, nor over the actions of the trustees. Neither is he required to organize teachers' institutes, to examine and license teachers, nor to visit schools. Indeed the very name without these important duties, to say nothing of others of scarcely less import, which are also dispensed with, is a delusion, and the office itself with the few and comparatively unimportant duties attached to it is superfluous, and a needless expense. These few duties, which are purely ministerial could as well be performed by some other county official, and with less expense than is provided for in the bill.

Another severe blow which is to be dealt to the educational interests of the State by this bill is the provision that payments to teachers shall be made only once in each year; and then they are to receive no fixed compensation, but only such part of the fund apportioned to the townships in which they taught as shall be proportioned to the number of pupils, and length of time taught by each. It is doubtful whether competent teachers can be employed on such indefinite terms, with long delayed payments, save in exceptional cases. I fear the result will be that in many townships there will be no schools for either race, while in many more there will be none for the colored race. To no one cause is the improvement in the school system during the past two years more due, than to the feature of prompt monthly payments to teachers which has prevailed during that period. Many more schools can be established, and better teachers employed for lower salaries when they are to be paid promptly each month a definite amount, than when they shall be compelled to wait until the end of the year, and take their chances of thus receiving some indefinite amount.

This method of *distribution* of the school money proposed by this bill may do very well as a means of subsi-

dizing private schools in certain localities where the people are able to maintain the private schools without such assistance, but it will operate as a denial of educational facilities to that much larger class of poorer people who are not able to sustain private schools, and who are most in need of the free public schools.

I emphasize the word "distribution" above, for it will be remembered that in the substitute this word is used where "disbursed" is used in the original bill. This, together with the significant fact that the word "free," where it occurred in connection with public schools, was stricken out of even that portion of the original bill which was adopted, and that it was altogether omitted in the substitute, independently of the other considerations above mentioned, is persuasive to show that it is not even the purpose of the substitute to establish and regulate an efficient system of free public instruction in this State.

But, whether I mistake the purpose of the bill or not, I cannot but believe that its effects, if it should become a law, will be disastrous to the educational system, and detrimental to the welfare of the people, and the prosperity of the State.

It will be such a retrogression as will place our State, which now has a better educational system than many; and a larger fund than some of the States, behind them all, and even behind all the organized territories but one, in this important interest. This I am satisfied is not in accordance with the spirit of our new constitution, nor the genius of our people. Our mineral wealth, our fertile soils and diversified products, and our genial climate, when combined with general intelligence among the people, will afford every element of State wealth and happiness. If we would utilize these elements and reap the benefits, we must keep pace with the spirit of the age in the matter of public education. It is mistaken economy which would suffer us to go backward now. Ignorance, and its offspring, indolence, vice and crime, are too costly to be encouraged.

I object to the bill also because it fails to provide any efficient means for the collection, and disbursement of the poll tax; and for other matters of detail which I deem it unnecessary to record here.

While according to every member of the General Assembly who differed with me in this measure the same impulses of patriotic purpose, and not arrogating superior wisdom on the subject, but honestly believing the baneful

results above indicated will naturally follow the enactment of the bill into a law, I most respectfully submit this as my protest against the same.

JNO. M. MCKLEROY.

I concur in the above protest,

B. M. STEVENS.

We the undersigned, members of the committee on education, hereby express our entire concurrence in the above protest by the chairman of said committee

H. TAYLOR,

F. DILLON.

W. Y. TITCOMB.

On motion of Mr. Griffin, the House adjourned until to-morrow morning 9½ o'clock.

FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, February 6, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Grove, of the House.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hern- don, Hobson, Hollis, Holloway, Hudson, Jack, Jack- son, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Ste- vens, of Coffee, Stevens, of Dallas, Stephens, of Perry,

Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White.

On motion of Mr. Jolly, the reading of the journal was dispensed with.

SENATE BILLS ON SECOND READING.

The Senate bill—

s. No. 20. To amend sections 4171, 4173, 4177 and 4179 of the Revised Code;

Was read the second time and referred to the Committee on Judiciary.

The Senate bill—

s. No. 398. To amend section 4438 of the Revised Code;

Was read the second time and referred to the Committee on Fees and Salaries.

The Senate bill—

s. No. 375. To provide for the payment of the obligations of the State, issued in pursuance of the act approved December 19, 1873, entitled an act to provide for the funding of the domestic debt of this State;

Was read the second time and referred to the Committee on Ways and Means.

The Senate bill—

s. No. 384. To settle the claims of Alexander White and John White, for professional services rendered the State;

Was read the second time and referred to the Committee on Finance.

The Senate bill—

s. No. 377. To release from taxation notes and mortgages given by members of Building and Loan Associations for advances on stock;

Was read the second time and referred to the Committee on Corporations.

The Senate bills—

s. No. 391. To amend an act to establish the canebrake agricultural district, to provide for the securing the same and the management of its affairs, approved February 20, 1866;

s. No. 386. To regulate the pay of jurors in Clay county;

s. No. 381. For the relief of Julia K. Coleman, Agnes E. Myers, Wm. Haley, A. M. Crom and B. M. Cartledge, of Butler county;

Were severally read the second time and referred to the Committee on Local Legislation.

The Senate bill---

s. No. 376. To create the office of commissioner of swamp and overflowed lands, and to define the duties thereof;

Was read the second time and referred to special committee of three.

Committee---Messrs. Brown, Betts and McKleroy.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 6, 1877.

Mr Speaker :

The Senate has originated and passed bills as follows, and ordered the same forthwith to the House without engrossing, to-wit:

s. No. 392. To revive sections 2061, 2880, 2885 and 2884 of the Revised Code of Alabama.

s. No. 200. To provide for the transportation of convicts sentenced to imprisonment in the Penitentiary.

s. No. 369. Joint memorial of the General Assembly of Alabama to the Congress of the United States, asking an appropriation for the improvement of the navigation of the Tombigbee river, &c.

s. No. 98. To detach Randolph county from the seventh congressional district in this State, and attach the same to the fifth congressional district.

s. No. 354. To amend section 7 of an act to abolish fencing in certain portions of Montgomery county, approved January 27, 1867, approved March 17, 1875.

s. No. 378. To punish persons who, having contracted or promised to labor, obtain money or other thing of value by false promises.

And has passed the following House bills :

H. R. No. 358. To make appropriations for the fiscal years ending September 30th, 1877 and September 30th, 1878.

H. R. No. 562. To regulate municipal elections in the city of Birmingham and to prescribe the qualifications of electors of the same.

H. R. No. 390. To regulate property exempted from sale for the payment of debts and from administration, and to pro-

vide for the ascertainment of such exempted property.

J. M. CARMICHAEL.

Secretary.

SENATE BILLS ON FIRST READING.

The Senate bills just received, viz: S. No. 392, S. No. 200, S. No. 391, S. No. 369, S. No. 98, S. No. 354 and S. No. 378, were severally read once and ordered to a second reading on to-morrow.

SIGNING SENATE BILLS.

The Speaker, in the presence of the House, immediately after the titles thereof had been publicly read, signed the following Senate bills:

s. No. 334. To provide biennial appropriations to pay expense of engravings, &c., to illustrate the reports of the State Geologist.

s. No. 323. To amend the 9th section of an act to incorporate the town of Tuskegee.

s. No. 246. To amend an act for the relief of M. Wimberly, late tax collector of Butler county.

s. No. 280. To repeal an act to repeal section 4031 (482) of the Revised Code and to re-enact the same for the county of Covington.

SPECIAL ORDER.

The special order for this hour, viz: the Senate bill---

s. No. 242. To authorize the redemption of real estate sold for taxes and purchased by or in the name of the State.

The amendments pending were adopted, the bill ordered to a third reading forthwith, read third time and passed---Yeas 70, nays 4.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Caldwell, Crews, Crump, Dean, Denman, DeLemos, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Manasco, of Winston, Mott, McDavid, McDuffie, Mc-

Farlane, McKinstry, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—70.

The House then resumed the consideration of the bill---

H. R. No. 566. To provide for the funding of the debts of municipal corporations.

By leave, Mr. Jolly withdrew the substitute reported by the committee.

Mr. Fletcher moved to amend the original bill as follows:

Add to end of last section, "provided, that this act shall apply only to cities having a population of twenty thousand inhabitants and upwards."

The amendment was adopted.

And the bill ordered to a third reading forthwith, read third time and passed—Yeas 67, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKleroy, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch—67.

Nays—Messrs. Gibson, Harrington, and Stephens, of Perry—3.

Mr. Hobson, from special committee, reported favorably to the Senate bill—

s. No. 364. To make appropriation to pay the commissioners to revise the laws of Alabama, the balance of the minimum price for the work as fixed by contract between them and the Governor;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Beers, Betts, Bishop, Booker, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Johns-

ton, Kelly, Kirkland, Lewis, Manasco, of Walker, Manasco of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKleroy, McWhorter, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch---70.

Mr. Jolly, from the Committee on Corporations, reported favorably to the bill---

H. R. No. 587. To fix the rate of taxation on banks chartered by and organized under the laws of this State, in lieu of any bonus now required to be paid by them, and to prescribe the mode of paying the same ;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 66, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch—66.

Nays---Messrs. Fletcher, Forwood---2.

Also, reported adversely to the bill—

H. R. No. 357. To incorporate the volunteer military company in Hayneville, Lowndes county, under the name of the "Hayneville Guards."

On motion of Mr. Hubbard, the further consideration of the bill was postponed and made the special order for 3½ P. M. to-day.

Leave of absence was granted Mr. Rice for one day.

Mr. Brown, from Committee on Local Legislation, reported favorably to the bill—

H. R. No. 548. To authorize probate judge of Etowah county to order election in Attalla beat, to allow majority of citizens therein to determine whether or not spirituous liquors shall be sold;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 69, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump,

Dean, Denman, Dillon, Doster, Espy, Fletcher, Foshee, Gibson, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jones, Johnston, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McAdory, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Rodgers, Ross, Smith, Speake, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—69.

• Also, reported favorably to the bill—

H. R. No. 526. To ratify the action of the commissioners' court of Randolph county in authorizing the tax collector of said county to receive certain claims in payment of county taxes;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hudson, Jackson, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Taylor, Townsend, Ussery, Wall, Weatherford, Welch, White—70.

Mr. Herndon, from special committee, reported favorably to the Senate bill—

s. No. 197. To amend sections 6, 7, 8, 11 and 12 of an act entitled an act to provide for the registration of electors in this State, approved March 18, 1875.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 60, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker,

Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McKinstry, McWhorter, Prowell, Ramsey, Ross, Speake, Townsend, Ussery, Wall, Welch, White—60.

Nays—Messrs. Baxter, Betts, Blevins, Cashin, Fletcher, Jackson, Johnston, Lewis, Mayberry, McFarlane, Saunders, Smith, Stephens, of Perry—13.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 6, 1877.

Mr. Speaker :

The Governor has approved the following bills which originated in the House of Representatives :

No. 401. To amend section 20 of an act entitled an act to establish a new charter for the town of Marion in the county of Perry, approved February 16, 1870.

No. 570. To extend the provisions of the stock law of Lowndes county to the whole of Letohatchee beat.

No. 329. To amend section 13 of an act approved January 20th, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson.

No. 555. To authorize and empower the court of county commissioners of Tallapoosa county to levy a special tax at special term of said court.

No. 470. To regulate the letting of contracts for public works in the county of Sumter.

No. 400. To incorporate the town of Marion in Perry county as a separate public school district.

Very respectfully,

IKE H. VINCENT,
Private Secretary.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill—

H. R. No. 557. To repeal an act to authorize the sheriff of Washington county, by virtue of his office to collect the State and county taxes, &c.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 66, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham of Lauderdale, Cunningham,

of Monroe, Crews, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDuffie, McFarlane, McKinstry, McWhorter, Ramsey, Rodgers, Ross, Saunders, Smith, Speake, Townsend, Wall, Welch and White—66.

Nay—Mr. Stevens, of Dallas—1.

Also, from same committee, reported favorably with amendment to the bill—

H. R. No. 540. To authorize Terrell Stringfellow to peddle without license.

Amend by striking out "State of Alabama," and insert "county of Pickens."

The amendment was adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 62, nays 10.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Monroe, Crews, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, McAdory, McDuffie, McFarlane, McKinstry, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Ussery, Wall, Welch and White—62.

Nays—Messrs. Bishop, Blevins, Cashin, Herndon, Johnston, Lewis, Mott, Muldon, Stevens, of Dallas, Stephens, of Perry—10.

Also, from same committee, reported adversely to the bill—

H. R. No. 586. For the relief of Wm. I. Kirk, late sheriff of Jackson county.

The adverse report was concurred in.

Also, favorably to the bill—

H. R. No. 595. To authorize the county commissioners of Cullman county to levy a special tax to pay the pro rata indebtedness of the counties, out of which said county is formed.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilshrist, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, McDonald, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Robinson, Rodgers, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Ussery, Wall, and Welch—72.

Also reported adversely to the bill—

H. R. No. 521. To repeal an act to prohibit the sale of liquors in less quantities than forty gallons within five miles of Scottsboro, in Jackson county.

The adverse report was concurred in.

Also, reported favorably to the bill—

H. R. No. 501. To repeal an act approved March 9th, 1876, prohibiting sale, &c., of liquors within five miles of certain designated churches in Montgomery county, so far as same applies to Sodda Church, Montgomery county.

By leave, the bill and report were withdrawn.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 6, 1877.

Mr. Speaker:

The Senate has amended as therein shown and passed—

H. R. No. 377. For the relief of J. R. Wing and I. D. Hogan;

And has passed---

H. R. No. 416. To amend section 1798 of the Revised Code;

And has concurred in House amendments to Senate bill---

s. No. 199. To regulate the practice of medicine in the State of Alabama.

J. M. CARMICHAEL,

Secretary.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the bill---

H. R. No. 428. To repeal an act to prohibit the sale, &c., of liquors in the neighborhood of certain churches in Cherokee county, so far as same relates to Cedar Bluff Church.

Mr. Harris moved to lay the bill on the table.

Lost.

Mr. Gilmer moved to indefinitely postpone the bill.

Lost.

The bill was ordered to a third reading forthwith, read a the third time and passed—Yeas 58, nays 9.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Bishop, Booker, Booth, Butler, Brodnax, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kirkland, Mayberry, Mott, McAdory, McDavid, McDuffie, McFarlane, McMath, McWhorter, Rodgers, Ross, Smith, Snoddy, Stevens, of Coffee, Townsend, Ussery, Weatherford, Welch, White—58.

Nays—Messrs. Gibson, Gilmer, Grove, Harris, Johnston, Lewis, Stevens, of Dallas, Stephens, of Perry, and Townsend—9.

Also favorably to the bill—

H. R. No. 575. To repeal an act to prohibit the sale &c., of vinous, spirituous or malt liquors within five miles of certain places therein named, in Cherokee county, approved March 29, 1873, so far as the same relates to Beats three and four of said county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 46, nays 6.

Yeas—Messrs. Allen, Beard, Bishop, Booker, Blevins, Brodnax, Cunningham, of Monroe, Denman, Denson, Dillon, Doster, Forwood, Foshee, George, Gullett, Glenn, Glennon, Gray, Griffin, Harrington, Hobson, Hubbard, Jackson, Jolly, Jones, Kelly, Kirkland, Mayberry, Mott, McDuffie, McFarlane, McKinstry, McWhorter, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Stevens, of Coffee, Titcomb, Townsend, Ussery, Weatherford, White—46.

Nays—Messrs. Gilmer, Grove, Harris, Lewis, Stevens, of Dallas, Stephens, of Perry—6.

Mr. Denson, from the Committee on Accounts and Claims, reported favorably to the bill—

H. R. No. 483. For the relief of G. W. Smith and James Hewett.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 50, nays 8.

Yeas—Messrs. Baker, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Denman, Denson, Dillon, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Jack, Jackson, Jolly, Jones, Kelly, Mott, McAdory, McDavid, McDuffie, McFarlane, McWhorter, Ramsey, Ross, Saunders, Smith, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch White—50.

Nays—Messrs. Allen, Baldwin, Blevins, Hudson, Lewis, Prowell, Stevens, of Dallas and Stephens, of Perry—8.

Mr. Harrington, from the Committee on Finance, reported favorably to Senate bill—

s. 339. To authorize the Governor to perform certain duties of commissioner, appointed under the act approved December 14, 1876, &c.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 57, nays 0.

Yeas—Messrs. Allen, Baker, Baxter, Beard, Beers, Betts, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Darden, Denson, DeLemos, Dillon, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Hubbard, Jackson, Jolly, Jones, Manasco, of Walker, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White—57.

Also, from same committee, favorably to the Senate bill—

s. 320. To authorize and empower the commissioner appointed under an act, approved December 14, 1876, to provide for the appointment of a commissioner, &c., to adjust certain claims against the State.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 60, nays 0.

Yeas—Messrs. Allen, Baker, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Crump, Darden, Denman, DeLemos, Dillon, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Hubbard, Jack, Jolly,

Jones, Kelly, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—60.

By leave Mr. Denson, from the Committee on Accounts and Claims, reported favorably to the Senate bill---

s. 257. To refund to E. J. and Benj. Fitzpatrick, certain taxes, collected twice by the tax collector of Montgomery county.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 68, nay 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beers, Booker, Brodnax, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Goldthwaite, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Ramsey, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Welch, White—68.

Mr. Holloway, from the Committee on Counties and County Boundaries, reported favorably to the bill---

H. R. No. 591. To change the county line between the counties of Clay and Tallapoosa.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 52, nays 0.

Yeas---Messrs. Allen, Baker, Baxter, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crump, Darden, Denman, Denson, Dillon, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Gray, Griffin, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jolly, Kelly, Manasco, of Walker, Muldon, McDavid, McFarlane, McKinstry, McKleroy, McWhorter, Prowell, Rodgers, Saunders, Smith, Snoddy, Speake, Taylor, Ussery, Wall, Welch, White---52.

Mr. Goldthwaite, from the Committee on Fees and Salaries, reported favorably to the bill---

H. R. No. 450. To repeal an act to require registers in chancery, &c., to record certain papers therein named, and otherwise regulate the safe keeping and use of the same.

approved March 6, 1876, so far as the same applies to Pike county.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 55, nays 0.

Yeas—Messrs. Baxter, Beers, Betts, Bishop, Booker, Booth, Brodnax, Caldwell, Cashin, Cunningham, of Lauderdale, Crews, Crump, Darden, Dean, Denson, Dillon, Doster, Espy, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Gray, Grove, Hansburger, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Lewis, Manasco, of Walker, Mott, Muldon, McAdory, McDuffie, McFarlane, McKleroy, Prowell, Rodgers, Smith, Snoddy, Stevens, of Coffee, Taylor, Ussery, Wall, White—55.

Mr. Dillon, from the Committee on Education, reported a substitute for the bill---

H. R. 563. To establish a separate school district in the county of Jefferson, at Oxmoor.

The substitute was adopted, and the bill was ordered to a third reading forthwith, read third time and passed---Yeas 68, nays 0.

Yeas—Messrs. Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Mott, McAdory, McDavid, McDuffie, McFarlane, McKleroy, Prowell, Rodgers, Ross, Saunders, Smith, Speake, Stevens of Coffee, Stephens, of Perry, Townsend, Ussery, Wall, Weatherford, Welch---68.

Also, from same committee, reported favorably to the bill---

H. R. No. 552. To prescribe the manner in which sales or leases of 16th section lands in certain townships in Baldwin county may be made.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 76, nays 0.

Yeas—Messrs. Baker, Baxter, Beers, Betts, Bishop, Booker, Booth, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dil-

lon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Johnston, Kennedy, Lewis, Mayberry, Manasco, of Walker, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Weatherford, White—76.

Mr. Herndon, from the Judiciary Committee, reported favorably to the Senate bill—

s. No. 79. For the protection of the sureties on the bonds of executors and administrators.

The Bill was ordered to a third reading forthwith, read the third time and passed—Yeas 63, nays 1.

Yeas—Messrs. Speaker, Baker, Baxter, Beard, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Jack, Jackson, Kelly, Kennedy, Kirkland, Lewis, Mott, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White—63.

Nay—Mr. Hubbard—1.

Also, from same committee, reported favorably to the bill—

s. No. 104. To declare and regulate liens for rent of land and advances to make a crop and enforce the same.

On motion of Mr. Betts, the further consideration of the bill was postponed and made the special order for 12 M. to-morrow.

On motion of Mr. Griffin, the House took a recess till 3½ P. M.

EVENING SESSION.

The House reassembled at the hour of 3½ P. M.

The special order for this hour, viz: the adverse report of the Committee on Corporations to the bill, H. R. No. 57—

Mr. Hubbard moved to lay the report on the table.

Lost.

The adverse report was concurred in.

Mr. Herndon, from Judiciary Committee, reported favorably with amendments to the Senate bill---

s. No. 106. To amend section 4339 of the Revised Code.

Amend by adding immediately after the words "jail" at the end of line 14 of section 1 the words: "Which shall be the same compensation that is allowed by law for the removal of convicts to the penitentiary."

Strike out "section 4339" and insert "this section."

The amendments were adopted, the bill ordered to a third reading forthwith, read third time and passed---Yeas 59, nays 0.

Yeas---Messrs. Speaker, Allen, Beard, Beers, Betts, Booker, Booth, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Dean, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kirkland, Lewis, Manasco, of Winston, Muldon, McDavid, McFarlane, McKleroy, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Wall, Weatherford--58.

Also, reported favorably with amendment to the bill---

s. No. 113. To authorize the Mobile and Girard Railroad Company to issue bonds and execute mortgages or deeds of trust to secure the same.

Amend by inserting the words "otherwise" after the word "security," where it occurs in 22d line sec. 3.

The amendment was adopted.

Mr. McKleroy moved to amend by inserting the word "valid" before the word "indebtedness" in last line section 1.

Adopted.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 63, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Booth, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack,

Jackson, Jolly, Jones, Johnston, Kennedy, Manasco, of Winston, Mott, McAdory, McDavid, McDonald, McFarlane, McKinstry, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Wall—63.

Also, reported favorably to the Senate bill—

S. No. 122. To amend section 2358 of the Revised Code.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 59, nays 2.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Booth, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Dean, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, and Wall—59.

Nays—Messrs. Darden and Ross—2.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills:

H. R. No. 351. To repeal an act entitled an act to declare Pea river, between Russell's and Winslow's bridges in Coffee county, a lawful fence.

H. R. No. 464. To change the boundary line between the counties of Pike and Crenshaw.

H. R. No. 516. To authorize the city council of Eufaula to adjust and settle all claims of indebtedness now outstanding against said city.

H. R. No. 562. To regulate municipal elections in the city of Birmingham, and to prescribe the qualifications of electors at the same.

H. R. No. 377. For the relief of J. R. Wing, I. D. Hogan and L. R. Davis.

H. R. No. 416. To amend section 1798 of the Revised Code.

H. R. No. 312. To authorize and empower the court of county commissioners of Barbour county to compromise

and settle the bonded indebtedness of said county incurred for stock subscribed by said county to the Vicksburg and Brunswick Railroad Company.

H. R. No. 426. To repeal an act entitled an act to authorize the commissioners court of Barbour county to levy a tax for county purposes, approved December 7. 1866.

H. R. No. 358. An act to make appropriations for the fiscal years ending September 30th, 1877 and September 30th, 1878.

Mr. Herndon, from the Committee on Judiciary, reported favorably with amendment to the Senate bill—

s. No. 132. To amend subdivision 6 of section 2716 of the Revised Code.

Amend by striking out the word "Comptroller" and insert Auditor."

Adopted.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 59, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Booker, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Hubbard, Jack, Jackson, Jolly, Jones, Kennedy, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Wall,---59.

Also, reported favorably with amendments to the Senate bill—

s. No. 139. To authorize the revival of chancery suits in certain cases.

Amend by inserting after the word "instituted" the words "in any of the chancery courts of this State."

Amend by striking out the word "plaintiff" and inserting the word "complainants."

The amendments were adopted, the bill was ordered to a third reading forthwith, read the third time and passed---Yeas 65, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett,

Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Hubbard, Jack, Jolly, Jones, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, Ross, Saunders, Smith, Snoddy, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Welch and White—65.

The House concurred in the amendment of the Senate to the bill—

H. R. No. 377. For the releif of J. R. Wing and I. D. Hogan.

Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Dean, Denman, Denson, DeLemos, Dillon, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, Ramsey, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Welch, White—70.

Mr. Herndon, from Judiciary Committee, reported favorably to the Senate bill—

s. No. 141. To increase the criminal jurisdiction of justices of the peace and notaries public having like powers in the counties of Lee and Wilcox.

Mr. Gullett moved to amend by striking out "Wilcox county."

Adopted.

Amendments were severally offered and adopted, including the counties of Madison, Jackson, Clarke, Chocataw, Walker and Marion.

Also, to amend title by striking out "Wilcox," and insert above named counties.

Adopted.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 38, nays 35.

Yeas—Messrs. Speaker, Allen, Baker, Betts, Bishop, Booker, Butler, Caldwell, Crews, Crump, Darden, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Gullett, Glenn, Gray, Grove, Harrington, Hobson,

Hubbard, Jack, Jackson, Manasco, of Walker, McFarlane, Saunders, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, White---38.

Nays---Messrs. Baldwin, Beers, Blevins, Brodnax, Brown, Cashin, Cunningham, of Monroe, Denman, Denson, DeLemos, Gibson, Gilmer, Glennon, Hansburger, Harris, Holloway, Hudson, Jolly, Jones, Johnston, Lewis, Mayberry, Mott, Muldon, McAdory, McKinstry, McKleroy, Ramsey, Robinson, Ross, Smith, Snoddy, Stevens, of Dallas, Stephens, of Perry, Welch---35.

Also, reported favorably to the Senate bill—

s. No. 149. To amend section 3601, of the Revised Code.

The bill ordered to a third reading forthwith, read third time and passed---Yeas 78, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Blevins, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Johnston, Kelly, Lewis, Mayberry, Muldon, McDavid, McDonald, McFarlane, McKinstry, McKleroy, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch and White---78.

Also, reported favorably to the Senate bill—

s. No 161. To amend section 3945 of the Revised Code, with relation to the jurisdiction of offenses committed on or near county boundaries.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 72, nays 0.

Yeas---Messrs. Allen, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Johnston, Kelly, Kirkland, Lewis, Mayberry, Manasco, of Walker, Muldon, McDavid, McFarlane, McKinstry, McKleroy, Prowell,

Robinson, Rodgers, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch—72.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 6, 1877.

Mr. Speaker :

The Senate has adopted preamble and resolution :

Authorizing and requiring the presiding officers, of the Senate and House, to certify certain *per diem*.

J. M. CARMICHAEL,
Secretary.

On motion of Mr. Jolly, the joint resolution just received was taken up and adopted.

Mr. Herndon, from Judiciary Committee, reported a substitute for the Senate bill---

s. No. 166. To punish obstructions of railroads.

The substitute being entitled---

s. No. 166. To amend section 3681 of the Revised Code.

The substitute was adopted.

The bill was ordered to a third reading forthwith, read third time and passed---Yeas 65, nays 0.

Yeas—Messrs. Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Caldwell, Cunningham, of Monroe, Crews, Darden, Dean, Denman, Denson, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jones, Kelly, Kirkland, Lewis, Mayberry, McAdory, McDavid, McDonald, McFarlane, McKleroy, Prowell, Rodgers, Ross, Saunders, Smith, Speake, Stephens, of Perry, Taylor, Ussery, Wall, Welch, White—65.

Also, reported favorably to the Senate bill---

s. No. 194. To provide a remedy to owners and persons having a claim to cotton or the seed for the recovery of the value thereof.

Mr. Crews moved to amend by adding the word "knowingly" before the word "removes."

The amendment was adopted, the bill ordered to a third

reading forthwith, read third time and passed---Yeas 65, nays 0.

Yeas---Messrs. Allen, Baker, Baldwin, Baxter, Beard, Betts, Bishop, Booker, Booth, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Mayberry, Mott, McAdory, McDonald, McDuffie, McFarlane, McKleroy, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Ussery, Wall, Welch, White---65.

Mr. Glennon moved to reconsider the vote by which the bill passed; also the vote ordering the bill to a third reading forthwith.

The motion was agreed to.

Mr. Glennon moved to reconsider the vote by which the amendment was adopted.

Carried.

Mr. Blevins moved to lay the amendment on the table.

Carried.

On motion of Mr. Hubbard, the amendment was taken from the table.

On motion of Mr. Glennon, the bill was laid on the table.

Mr. Herndon, from same committee, reported favorably to the bill—

H. R. No. 415. To require the criminal docket of the circuit court of Madison county to be taken up on 4th week of the session.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 64, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baldwin, Beard, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Muldon, McAdory, McDavid, McDonald, McFarlane, McKleroy, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch, White---64.

On motion of Mr. Denson, the House adjourned until to-morrow morning 9½ o'clock.

FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, February 7, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Crump, of the House.

On the call of the roll there were present:

Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Kirkland, Lewis, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, Wall, Weatherford, Welch.

On motion of Mr. Herndon, the reading of the journal of yesterday was dispensed with.

SENATE BILLS ON SECOND READING.

The Senate bills—

s. No. 392. To revive sections 2061, 2880, 2883 and 2884 of the Revised Code.

s. No. 200. To provide for the transportation of convicts sentenced to imprisonment in the penitentiary.

s. No. 98. To detach Randolph county from the 7th congressional district and attach it to the 5th;

Were severally read the second time and referred to the Judiciary Committee.

The Senate bill—

s. No. 354. To repeal an act to amend section 7 of an act to abolish fencing in certain portions of Montgomery county, approved March 17, 1875;

Was read the second time and referred to Committee on Agriculture and Commerce.

The Senate bill—

s. No. 378. To punish persons who having contracted or promised to labor, obtains money or other thing of value by false pretenses;

Was read the second time and referred to select committee of five.

Committee—Messrs. Stevens, of Coffee, Robinson, McMath, Darden and Fletcher.

MESSAGE FROM SENATE.

SENATE CHAMBER, February 7, 1877.

Mr. Speaker :

The Senate has originated and passed bills as follows, and ordered the same to the House forthwith, without engrossing:

s. No. 111. To charge tax assessors with the commissions allowed tax collectors for assessing escaped property.

s. No. No. 399. To amend section 2, of chapter 8 of the Revenue Code, approved March 6, 1876.

And has passed House bills, as follows:

H. R. No. 579. To require the collection of certain school moneys belonging to township 14, range 13, Lowndes county, and payment of the same into the State Treasury.

H. R. No. 523. To incorporate the Macedonia church (colored), in Pickens county.

And has amended as therein shown, and passed the bill—

H. R. No. 163. For the more efficient organization of the volunteer militia of Alabama.

And adheres to its amendment to the bill—

H. R. No. 174. To reduce the rate of taxation in this State.

And asks for a committee of conference in relation to the disagreement of the Houses as to said amendment.

Committee on the part of the Senate, Messrs. Rice, Chambers and Robinson.

J. M. CARMICHAEL,
Secretary.

The Senate bills just received, viz: Nos. S. 111, S. 399 were severally read once and ordered to a second reading on to-morrow.

REPORTS FROM COMMITTEES.

Mr. Herndon, from the Judiciary Committee, reported favorably to the Senate bill---

s. No. 298. To abolish the office of county treasurer of Dallas county, and to require the tax collector and other officers of said county to deposit funds belonging to the county in the City National Bank of Selma, and the Selma Savings Bank to the credit of the county and subject to the order of the court of county revenues.

Mr. Blevins moved to amend by adding, "Provided that said bank shall give the same bond that is now required of the treasurer."

"Provided, further, that this act shall not take effect until the term of office of the present treasurer expires."

On motion of Mr. Jolly, the amendments were laid on the table.

Mr. McAdory called for the previous question.

The call was sustained.

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 46, nays 27.

Yeas—Messrs. Speaker, Allen, Beard, Betts, Booker, Butler, Brown, Caldwell, Cunningham, of Monroe, Crews, Dillon, Fletcher, Forwood, George, Goldthwaite, Glenn, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Mott, Muldon, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Saunders, Stevens, of Coffee, Taylor, Titcomb, Wall—46.

Nays—Messrs. Baldwin, Booth, Blevins, Brodnax, Cashin, Darden, Denson, Espy, Gibson, Gilmer, Gullett, Glennon, Harris, Hudson, Johnston, Lewis, McDonald, Rice, Robinson, Ross, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Townsend, Weatherford—27.

Also, reported favorably to the Senate bill—

s. No. 234. To fix the time of holding the chancery court in Wilcox county;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 63, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Booker, Booth, Butler, Brodnax, Brown, Cald-

well, Cunningham, of Monroe, Crews, Crump, Darden, Dillon, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Rice, Ross, Saunders, Smith, Speake, Taylor, Townsend, Weatherford---63.

Nay---Mr. Lewis---1.

Also from same committee, favorably to the Senate bill---
s. 313. To restrain and prevent judicial and ministerial officers from going bail for prisoners or other persons tried before them or in their charge.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 58, nays 2.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dillon, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kirkland, Mott, Muldon, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rodgers, Ross, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, and Weatherford---58.

Nays---Messrs. Smith and Townsend---2.

Also, favorably to the Senate bill---

s. 319. To fix the time of holding the circuit court of Montgomery county.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 65, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dillon, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kirkland, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Rodgers, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall and Weatherford---65.

On motion of Mr. Jolly a committee of conference was raised to confer with the Senate committee upon the disagreement of the two houses on the House bill 174, in relation to reduction of taxes.

Committee on the part of the House, Messrs. Jolly, Brown, Hubbard, Cunningham, of Lauderdale, and Saunders.

Mr. Herndon, from Judiciary Committee, reported favorably to the Senate bill—

s. No. 379. For the relief of Martha J. Tompkins, guardian of Wm. L. and Christopher, C. Tompkins, of Franklin county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dillon, Doster, Espy, Fletcher, Forwood, George, Gilchrist, Goldthwaite, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hollis, Hubbard, Jack, Jones, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, Rodgers, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Wall and Weatherford---56.

Also, favorably to the Senate bill—

s. No. 135. To define and limit the number of counties to compose the Eastern Chancery Division.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 53, nays 2.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dillon, Doster, Espy, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Hansburger, Harrington, Herndon, Hollis, Hubbard, Jolly, Jones, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McKinstry, McMath, McWhorter, Ramsey, Rodgers, Ross, Smith, Speake, Stevens, of Coffee, Townsend and Wall ---53.

Nays---Messrs. Blevins, and Stevens, of Dallas---2.

Also, favorably to the Senate bill---

s. No. 229. To establish a board of Revenue for Autau-

ga county, and to define the powers and duties of said board of revenue.

Mr. Booth moved to recommit the bill.

Lost.

The bill was ordered to a third reading forthwith, read the third time and lost--Yeas 42, nays 45.

Yeas--Messrs. Speaker, Allen, Baker, Beard, Bishop, Booker, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dillon, Forwood, George, Gilchrist, Goldthwaite, Glenn, Gray, Grove, Hollis, Hubbard, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Mott, McDuffie, McKinsty, McKleroy, McWhorter, Prowell, Ramsey, Rodgers, Speake, Stevens, of Coffee, Taylor, Titcomb, Wall and Welch--42.

Nays--Messrs. Baldwin, Baxter, Beers, Betts, Booth, Butler, Blevins, Brodnax, Cashin, Darden, Dean, Denman, Denson, DeLemos, Espy, Fletcher, Foshee, Gibson, Gilmer, Gullett, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Holloway, Hudson, Johnston, Mayberry, Manasco, of Winston, McAdory, McDavid, McDonald, McFarlane, McMath, Ross, Saunders, Smith, Snoddy, Stevens, of Dallas, Stephens, of Perry, Towusend, Ussery and Weatherford--45.

Also, from same committee, adversely to the Senate bill--

s. No. 22. To provide for the trial of criminal cases on particular days.

The House refused to concur in the report--Yeas 28, nays 39.

Yeas--Messrs. Speaker, Baxter, Beard, Betts, Bishop, Butler, Crews, Denson, Dillon, Fletcher, George, Glenn, Glennon, Grove, Hansburger, Hobson, Hollis, Jackson, Kirkland, Muldon, McAdory, McFarlane, McKinsty, McKleroy, Prowell, Ramsey, Rodgers, Stevens, of Coffee, and Titcomb--29.

Nays--Messrs. Allen, Baker, Baldwin, Booker, Booth, Blevins, Brodnax, Caldwell, Cunningham, of Monroe, Crump, Darden, Denman, Doster, Espy, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Gullett, Griffin, Harris, Holloway, Hudson, Jones, Johnston, Kennedy, Mayberry, McDavid, McDonald, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Ussery, Wall and Welch--39.

The bill was then ordered to a third reading forthwith, read the third time and passed--Yeas 41, nays 33.

Yeas—Messrs. Allen, Baker, Baldwin, Booker, Booth, Butler, Blevins, Brodnax, Caldwell, Cashin, Cunningham, of Monroe, Darden, Dean, Denman, DeLemos, Doster, Espy, Forwood, Foshee, Gibson, Gilmer, Gullett, Griffin, Hansburger, Harris, Holloway, Hudson, Jones, Johnston, Lewis, Mayberry, McDavid, McDonald, Rice, Rodgers, Smith, Speake, Stevens, of Dallas, Stephens, of Perry, Ussery, Wall, Welch—41.

Nays—Messrs. Baxter, Beard, Beers, Betts, Bishop, Crews, Denson, Dillon, Fletcher, George, Gilchrist, Glenn, Glennon, Grove, Harrington, Herndon, Hobson, Hollis, Kelly, Kirkland, Manasco, of Walker, Mott, Muldon, McAdory, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Snoddy, Stevens, of Coffee, Titcomb—33.

SPECIAL ORDER.

The House next proceeded to the consideration of the Senate bill—

s. No. 284. To amend section 1 of an act to amend the charter of the city of Montgomery and the various laws heretofore passed amending the said charter, approved March 3d, 1870.

Mr. Gilmer called for the previous question.

The question was put and the call was sustained.

Debate upon the merits of the bill then ensued, participated in by various members; which having ceased, the Speaker (Mr. McMath in the chair) stated that if no objection was made the bill would be ordered to a third reading forthwith, and hearing none, ordered the clerk to read the bill.

The reading had progressed for a few moments, when Mr. Cashin raised the objection that the bill had not been ordered to a third reading.

The Speaker overruled the objection.

Mr. Cashin appealed from the decision of the Chair.

The decision of the Chair was sustained.

The bill was read the third time.

Mr. Rice moved to reconsider the vote by which the bill was ordered to a third reading.

Which, on motion of Mr. Jolly, was laid on the table—Yeas 62, nays 18.

Yeas—Messrs. Allen, Baker, Beard, Betts, Bishop, Booker, Butler, Brodnax, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, Dillon, Doster,

Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Glennon, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Walker, Muldon, McAdory, McDavid, McKinstry, McKleroy, McMath, McWhorter, Prowell, Damsey, Robinson, Rodgers, Saunders, Speake, Stevens of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---62.

Nays---Messrs. Baldwin, Baxter, Beers, Booth, Blevins, Cashin, DeLemos, Gilmer, Gullett, Harris, Johnston, Lewis, Mayberry, Manasco, of Winston, Rice, Snoddy, Stevens, of Dallas, Stephens, of Perry---18.

And the bill passed---Yeas 66, nays 18.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Glenn, Glennon, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Muldon, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Robinson, Rodgers, Saunders, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch, White---66.

Nays---Messrs. Baldwin, Baxter, Beers, Blevins, Cashin, Dean, DeLemos, Gilmer, Gullett, Harris, Johnston, Lewis, Mayberry, Manasco, of Winston, Rice, Snoddy, Stevens, of Dallas, Stephens of Perry---18.

On motion of Mr. Herndon, the vote referring the Senate bill---

s. No. 98. To detach Randolph county from the 7th congressional district and attach it to the 5th, was reconsidered and the bill referred to a select committee.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 7, 1877.

Mr Speaker :

The Senate has amended, as therein shown, and passed the House bill---

H. R. No. 52. To organize and regulate a system of public instruction for the State of Alabama.

J. M. CARMICHAEL,

Secretary.

The House concurred in the amendments of the Senate to the bill---

H. R. No. 163. For the more efficient organization of the volunteer militia.

Yeas 65, nays 4.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denson, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Hudson, Jack, Jackson, Jolly, Jones, Kirkland, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKleroy, Prowell, Ramsey, Robinson Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Titcomb, Townsend—65.

Nays—Messrs. Blevins, Johnston, Lewis, Stephens, of Perry---4.

SIGNING SENATE BILLS.

The Speaker, in the presence of the House and immediately after the titles thereof had been publicly read, signed the following Senate bills:

s. No. 197. To amend sections 6, 7, 8, 11 and 12 of an act to provide for the registration of elections in this State.

s. No. 79. For the protection of sureties on the bonds of executors and administrators.

s. No. 257. To refund E. J. and Benj. Fitzpatrick certain taxes collected twice by the tax collector of Montgomery county.

s. No. 364. To make appropriation to pay the commissioners to revise the laws of Alabama the balance of the minimum price for the work as fixed by contract between them and the Governor.

s. No. 320. To authorize and empower the commissioners appointed under act of December 14, 1876, to adjust certain claims against the State.

s. No. 339. To authorize the Governor to perform in certain cases the duties of commissioner, &c.

s. No. 358. To amend section 1 of an act to incorporate the town of Ashland in Clay county.

s. No. 199. To regulate the practice of medicine in the State of Alabama.

On motion of Mr. Griffin, the House took a recess until 3½ P. M.

EVENING SESSION.

The House reassembled at 3½ P. M.

The House concurred in the amendment of the Senate to the bill—

H. R. No. 488. To regulate the terms of the courts in the first judicial circuit of Alabama—Yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Beard, Betts, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Darden, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Grove, Hansburger, Harrington, Herndon, Hobson, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Manasco, of Walker, Muldon, McAdory, McDavid, McKinstry, McKleroy, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—52.

s. No. 120. To amend sec. 1, chapter 2 of Revenue Code: Was taken up.

On motion of Mr. Fletcher, the bill was referred to the special joint committee on reduction of rate of taxation.

By leave, Mr. Brown from the Committee on Local Legislation, reported favorably with amendments to the Senate bill—

s. No. 391. To amend an act to establish the Canebrake Agricultural District to provide for securing the same, &c., approved February 20, 1866.

Amend the title by adding after the word "affairs" the words "and to repeal sections 8, 9, 10, and 11 of said act."

Amend by additional section as section 2.

The amendments were adopted and the bill ordered to a third reading forthwith, read the third time and passed—Yeas 61, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Beers, Betts, Bishop, Booker, Butler, Caldwell, Cunningham, of Monroe, Darden, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Manasco, of

Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McKinstry, McKleroy, McMath, Prowell, Ross, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—61.

Mr. Herndon, from select committee, reported favorably to the Senate bill—

s. No. 105. To amend an act entitled an act to amend the proceedings in the city court of Mobile, approved February 16, 1854, and to repeal an act amendatory thereof, approved March 18, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 69, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McDonald, McKinstry, McKleroy, McMath, Prowell, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, and Welch—69.

Mr. Muldon submitted the following report :

Mr. Speaker :

The special committee on balances of school funds in the hands of county superintendents respectfully submit that the limited time remaining of the present session precludes the possibility of the proper performance of the duty assigned them, which to be made in detail would not only require an examination of the books and papers of the Superintendent of Education, but also to a certain extent those of the Auditor and Treasurer of the State. Under these circumstances your committee beg leave to submit as their report, the accompanying printed report and printed supplement thereto as made by the Hon. LeRoy F. Box, the Superintendent of Education.

All of which is respectfully submitted.

By order of the committee.

SAM'L C. MULDON,

Chairman.

The report was received and ordered to lie on the table.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 7, 1877.

Mr. Speaker:

The Senate has concurred in the House amendments to the following Senate bills---

s. No. 141. To increase criminal jurisdiction of justices of the peace, and notaries public having like powers in the counties of Lee and Wilcox.

s. No. 113. To authorize the Mobile and Girard Railroad Company to issue bonds and execute mortgages or deeds of trust to secure the same.

s. No. 343. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within three and a half miles of the Prattville Male and Female Academy in the town of Prattville, in the county of Autauga.

s. No. 223. To amend section 654 of the Revised Code.

s. No. 49. To make additional appropriation for the purpose of carrying into effect an act for the relief of maimed soldiers, approved March 6, 1876.

s. No. 106. To amend section 4339 of the Revised Code.

J. M. CARMICHAEL.

Secretary.

SIGNING SENATE BILLS.

The Speaker, in the presence of the House, immediately after the titles had been publicly read, signed the following Senate bills:

s. No. 319. To fix the time for holding the circuit courts of Montgomery county.

s. No. 234. To fix the time for holding the chancery court of Wilcox county.

s. No. 135. To define and limit the number of counties to compose the eastern chancery division of this State.

s. No. 379. For the relief of Martha J. Tompkins, guardian of Wm. L. Tompkins and Christopher C. Tompkins, of Franklin county.

s. No. 298. To abolish the office of county treasurer of Dallas county, &c.

s. No. 313. To restrain and prevent judicial and ministerial officers from going bail for prisoners, or the persons tried before them or in their charge.

By leave, Mr. Holloway, from the Committee on Counties and County Boundaries, reported favorably to the Senate bill---

s. No. 370. To change the boundary line between the counties of Blount, Walker and Jefferson, and to authorize the removal of the county seat of said county.

Mr. Manasco, of Walker, moved that the further consideration of the bill be indefinitely postponed.

Lost—Yeas 32, nays 54.

Yeas—Messrs. Beard, Beers, Bishop, Booker, Brodnax, Brown, Cunningham, of Lauderdale, Doster, Fletcher, George, Glenn, Glennon, Griffin, Harrington, Hollis, Hubbard, Hudson, Jones, Kelly, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDuffie, McMath, Rodgers, Ross, Saunders, Stevens, of Coffee, Taylor, White—32.

Nays—Messrs. Allen, Baker, Baldwin, Betts, Booth, Butler, Blevins, Caldwell, Cashin, Crews, Crump, Darden, Dean, Denman, Dillon, Forwood, Foshee, Gibson, Gilchrist, Gilmer, Gilmer, Goldthwaite, Gullett, Grove, Hansburger, Harris, Herndon, Hobson, Holloway, Jack, Jackson, Jolly, Johnston, Lewis, Mayberry, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Rice, Robinson, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Titcomb, Townsend, Ussery, Wall, Welch—54.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 60, nays 26.

Yeas—Messrs. Allen, Baker, Baldwin, Betts, Booth, Butler, Blevins, Brodnax, Caldwell, Cashin, Cunningham, of Lauderdale, Crump, Darden, Dean, Denman, DeLemos, Dillon, Forwood, Foshee, George, Gilchrist, Gilmer, Goldthwaite, Gullett, Grove, Hansburger, Harris, Herndon, Hobson, Holloway, Jack, Jackson, Jolly, Johnston, Kelly, Kennedy, Lewis, Mayberry, McAdory, McDonald, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Rice, Robiusion, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—60.

Nays—Messrs. Speaker, Baxter, Beers, Bishop, Booker, Brown, Doster, Espy, Fletcher, Griffin, Harrington, Hollis, Hubbard, Hudson, Jones, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McMath, Rodgers, Ross, Stevens, of Coffee, White—26.

On motion of Mr. Holloway the House proceeded to the

consideration of the amendments of the Senate to the bill—

H. R. No. 52. To organize and regulate a system of public instruction for the State of Alabama.

And concurred in said amendments—Yeas 48, nays 8.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Denman, Doster, Espy, Fletcher, Forwood, Foshee, George, Gullett, Griffin, Grove, Hansburger, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Kirkland, Lewis, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, Prowell, Ramsey, Smith, Snoddy, Stevens, of Dallas, Taylor, Townsend, Ussery, Wall, Welch—48.

Nays—Messrs. Bishop, Blevins, Cashin, Dillon, Gilmer, Johnston, Manasco, of Winston, Stevens, of Dallas—8.

Mr. Herndon, from the judiciary committee, reported adversely to the Senate bill—

s. No. 174. To detach Chilton county from the 2d judicial circuit and attach it to the 10th judicial circuit.

On motion of Mr. McMath the report was laid on the table.

Mr. McMath moved to amend by additional section.

Mr. Hubbard moved to amend the amendment, by adding the following: "Provided, that F. S. Ferguson shall be, and act, as the solicitor of said county of Clanton, during the time he remains in office under his present election."

The amendment was adopted, and the amendment as amended was adopted, and the bill was ordered to a third reading forthwith, read the third time and passed—Yeas 40, nays 17.

Yeas—Messrs. Speaker, Allen, Baker, Betts, Booker, Brown, Cunningham, of Lauderdale, Crump, Darden, Dean, Dillon, Espy, Fletcher, Foshee, George, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hubbard, Jack, Jackson, Jones, Kelly, Mott, McAdory, McDonald, McDuffie, McMath, Prowell, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch—40.

Nays—Messrs. Baldwin, Blevins, Brodnax, Cashin, Crews, Gilmer, Harris, Herndon, Johnston, Lewis, Mayberry, Manasco, of Winston, McFarlane, McKinstry, Rice, Smith, Snoddy, Stevens, of Dallas, and Stephens, of Perry—17.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 7, 1877.

Mr. Speaker:

The Senate has amended, as therein shown, and passed the following House bills:

H. R. No. 489. To prescribe and regulate the mode of assessments in this State.

H. R. No. 302. To require tax collectors and others to pay into the treasury all currency collected by them, and to provide for the payment of interest on the public debt.

And has passed—

H. R. No. 308. For the appointment of two judges of the supreme court, *pro tempore*, in certain cases.

H. R. No. 486. To change the name of the county of Sanford.

H. R. No. 465. To prevent camp hunting in DeKalb county.

H. R. No. 533. To amend section 1 of an act for the relief of Hiram Gibson, of Jackson county, approved March 3, 1871.

H. R. No. 425. To grant manufacturers of woollen goods beyond the State, the privilege of bartering or selling such goods in Jackson county without a license.

J. M. CARMICHAEL,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Feb. 7, 1877.

Mr. Speaker:

The Governor has approved the following bills, which originated in the House of Representatives: •

No. 516. An act to authorize the city council of Eufaula to adjust and settle all claims of indebtedness now outstanding against said city.

No. 426. An act to repeal an act entitled an act to authorize the commissioners' court of Barbour county to levy a tax for county purposes, approved December 7, 1866.

No. 312. An act to authorize and empower the court of county commissioners of Barbour county to compromise

and settle the bonded indebtedness of said county, incurred for stock subscribed by said county to the Vicksburg and Brunswick Railroad Company.

No. 351. An act to repeal an act entitled an act to declare Pea river, between Russell's and Winston bridges, in Coffee county, a lawful fence.

No. 464. An act to change the boundary line between the counties of Pike and Crenshaw.

No. 562. An act to regulate municipal elections in the city of Birmingham, and to prescribe the qualifications of electors at the same.

No. 377. An act for the relief of J. R. Wing, I. D. Hogan and L. R. Davis.

Respectfully,

IKE H. VINCENT,
Private Secretary.

Mr. Herndon, from the Judiciary Committee, reported favorably to the Senate bill—

s. No. 245. To amend sections 4330 and 4331 of the Revised Code in so far as the same applies to the county of Lowndes;

The bill was ordered to a third reading forthwith, read third time and passed—Yeas 53, nays 3.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Booker, Blevins, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Fletcher, Foshee, George, Gullett, Glennon, Griffin, Harrington, Herndon, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Mayberry, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, Prowell, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford—53.

Nays—Messrs. Betts, Cashin, Hansburger—3.

The House concurred in the amendments of the Senate to the bill—

H. R. No. 302. To require tax collectors and others, to pay into the treasury all currency collected by them, and to provide for the payment of interest on the public debt.

Yeas 55, nays 1.

Yeas—Messrs. Speaker, Baker, Beard, Betts, Booker, Blevins, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Espy, Fletcher, Foshee, George, Gullett, Glennon, Griffin, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway,

Jack, Jackson, Jolly, Kelly, Mayberry, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, Prowell, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor,, Titcomb, Ussery, Wall, Weatherford—55.

Nay—Mr. Mott—1.

Also, concurred in the amendments of the Senate to the bill—

H. R. No. 489. To prescribe and regulate the mode of assessments in this State.

Yeas 47, nays 4.

Yeas---Messrs. Speaker, Allen, Beard, Betts, Booker, Brodnax, Caldwell, Crews, Crump, Darden, Dean, Denman, Dillon, Espy, Foshee, George, Gullett, Glennon, Griffin, Hansburger, Herndon, Hobson, Hollis, Holloway, Jack, Jackson, Jolly, Jones, Kelly, Mott, Muldon, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, Prowell, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Weatherford—47.

Nays---Messrs. Blevins, Cashin, Mayberry, Stephens, of Perry—4.

On motion of Mr. Blevins, the House adjourned until to-morrow morning, 9½ o'clock.

FIFTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, February 8, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Howell of the Senate.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brodnax, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hapsburger, Harrington, Herndon, Hobson, Hollis, Holloway,

Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Dallas, Stephens, of Perry, Taylor, Titecomb, Ussery, Wall, Weatherford, Welch and White—90.

Leave of absence was granted Mr. Gere for two days.

On motion of Mr. Herndon, the reading of the journal of yesterday was dispensed with.

The Senate bills—

s. No. 111. To charge tax assessors with the commissions allowed tax collectors for assessing escaped property.

s. No. 399. To amend section 2 of chapter 8 of the Revenue Code;

Were read the second time and referred to the Committee on Ways and Means.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House and immediately after their titles had been publicly read, signed said bills:

H. R. No. 390. To regulate property exempted from sale for the payment of debts and from administration, and to provide for the ascertainment and protection of such exempted property.

H. R. No. 597. To require the collection of certain school moneys belonging to township fourteen range 13, Lowndes county, and payment of the same into the State treasury.

H. R. No. 523. To incorporate the Macedonia church (colored) in Pickens county.

H. R. No. 163. For the more efficient organization of the Volunteer Militia.

H. R. No. 488. To regulate the terms of the first judicial circuit.

H. R. No. 489. To prescribe and regulate the mode of assessment in this State.

H. R. No. 486. To change the name of the county of Sanford.

H. R. No. 333. To change the time of holding the spring term of the circuit court of Madison county.

H. R. No. 436. To consolidate the offices of tax assessor and tax collector of Crenshaw county.

Mr. Glennon moved that the clerk be instructed to return to the Senate the Senate bill—

s. No. 242. To authorize the redemption of land sold for taxes and purchased by the State.

Mr. Betts moved to reconsider the vote by which the bill passed the House.

The motion to reconsider was postponed until 11 o'clock this morning.

Mr. Glennon moved to suspend the regular order for the purpose of allowing the Committee on Local Legislation to report one bill.

Lost.

REPORTS FROM COMMITTEES.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the Senate bill—

s. No. 338. To authorize the State Auditor to assess the property belonging to telegraph companies for taxation for the years 1870, 1871, 1872, 1873, 1874 and 1875.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 65, nay 1.

Yeas—Messrs. Speaker, Allen, Baldwin, Baxter, Beers, Betts, Bishop, Booker, Booth, Butler, Brown, Caldwell, Cunningham, of Lauderdale, Cudningham, of Monroe, Crews, Crump, Darden, Dean, Deuman, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Hobson, Holloway, Hubbard, Jack, Jackson, Jones, Kirkland, Manasco, of Walker, Mott, McDuffie, McFarlane, McKinstry, McKleroy, Prowell, Ramsey, Robinson, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Townsend, Ussery, Wall, Welch, White—65.

Nay—Mr. Cashin—1.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 8, 1877.

Mr. Speaker :

The Senate has passed House bills as follows :

H. R. No. 423. To amend section 7 of chapter 4 of the Revenue Code.

H. R. No. 421. To amend section 9 of chapter 4 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 392. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within one mile of Bethany church in Pickens county.

H. R. No. 263. To regulate the levy of special taxes by commissioners courts.

H. R. No. 436. To consolidate the offices of tax assessor and tax collector of Crenshaw county.

H. R. No. 530. To fix the time of holding the circuit court in the county of Cullman of the 5th judicial circuit.

H. R. No. 333. To change the time of holding the spring term of the circuit court of Madison county.

H. R. No. 370. To allow the surplus of the bridge fund of 1876 of Pike county to be appropriated to pay claims for repair of the court-house.

H. R. No. 491. To prevent the sale of spirituous, vinous or malt liquors within three miles of Pine Apple, Wilcox county.

H. R. No. 346. Regulating the fine and forfeiture fund of the counties of Bibb, Fayette, Monroe and Blount.

And has concurred in House amendments to the following Senate bills---

s. No. 132. To amend subdivision 6 of section 2716 of the Revised Code.

s. No. 49. To make an additional appropriation for the purpose of carrying into effect an act for the relief of maimed soldiers, approved March 6, 1876;

And has concurred in House amendment to Senate amendment to the bill—

H. R. No. 397. To declare lien in favor of wood-workmen and blacksmiths;

And has also concurred in House amendments to the following Senate bills—

s. No. No. 391. To amend an act to establish the Canebrake Agricultural District to provide for the securing the same and the management of its affairs.

s. No. 113. To authorize the Mobile and Girard Railroad to issue bonds and execute mortgages or deeds of trust to secure the same.

s. No. 139. To authorize the revival of chancery suits in certain cases.

J. M. CARMICHAEL,
Secretary.

And has amended as therein shown and passed—

H. R. No. 566. To provide for the funding of the debt of municipal corporations.

H. R. No. 202. To prescribe the manner of taking up certain stock found trespassing within the Canebrake Agricultural District, established by an act of the General Assembly of Alabama, approved 20th February, 1866.

The Senate has concurred in the report of the Conference Committee in relation to the disagreement of the two Houses on the Senate amendments to the bill—

H. R. No. 174. To reduce the rate of taxation in this State.

The Senate refused to concur in the House amendments to the bill—

s. No. 125. To amend section 2076 of the Revised Code.

J. M. CARMICHAEL,
Secretary,

Mr. Stevens, of Coffee, from select committee, reported favorably to the Senate bill—

s. No. 378. To punish persons who having contracted or promised to labor, obtains money or other things of value by false promises, &c.

On motion of Mr. Jolly, the bill was laid on the table.

Mr. Cashin moved to recall from the Senate the Senate bill—

s. No. 245. To amend certain sections of the Revised Code as to Lowndes county.

Mr. McKleroy moved to lay the motion on the table.

Agreed to.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the Senate bill—

s. No. 375. To provide for the payment of the obliga-

tions of the State issued in pursuance of the act approved December 19, 1873, entitled an act to provide for the funding of the domestic debt.

The bill was ordered to a third reading forthwith.

Mr. Brown moved to reconsider the vote by which the bill was ordered to a third reading.

Carried.

On motion of Mr. Jackson, the bill was laid on the table.

Mr. Betts, from the Committee on Ways and Means, reported favorably, with amendments, to the Senate bill—s. No. 231. To provide for the collection of delinquent taxes.

AMENDMENTS.

1. Section 1, line 4, strike out "February" and insert "March."

2. Section 2, lines 4 and 5, strike out "in the newspaper having the largest circulation in said county," and insert "by notices posted at the court house door and at the voting place of each precinct in which any of such lands may be situated."

Line 7, strike out "March" and insert "April."

Lines 16 and 17, strike out "said collector shall give notice," and insert "and."

Line 20, strike out "shall also give notice."

Line 21, strike out "April," and insert "May."

3. Section 4, line 4, add after residence, "or place of business."

4. Section 6, line 24, strike out "and" and insert "or."

5. Section 7, lines 21, 22 and 23, strike out from the word "notice," in line 21, to the word "that," in line 22, and insert "as required by law." Line 29. Add at the end of line 29, "or place of business." Line 34, strike out the word "therein."

6. Section 9, line 2, add at the end of line 2, "or within 20 days thereafter."

7. Section 11, line 7, strike out "April" and insert "May."

8. Section 13, line 4, strike out "forty" and insert "twenty."

The amendments were severally adopted.

Mr. Rice moved to lay the bill on the table.

Lost.

Mr. Betts moved to amend by additional section, as section 13.

The amendment was lost.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 42, nays 28.

Yeas---Messrs. Speaker, Allen, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Espy, Fletcher, George, Gilchrist, Goldthwaite, Glenn, Glennon, Grove, Harrington, Hollis, Hubbard, Jack, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Mott, McDuffie, McKinstry, McKleroy, McMath, McWhorter, Prowell, Ramsey, Rodgers, Taylor, Titcomb---42.

Nays---Messrs. Betts, Blevins, Cashin, Denman, Dillon, Foshee, Gullett, Harris, Hobson, Holloway, Hudson, Jackson, Kelly, Mayberry, McAdory, McFarlane, Rice, Robinson, Ross, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Townsend, Ussery, Wall---28.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 8, 1877.

Mr. Speaker :

The Senate has amended as therein shown, and passed the House bills—

H. R. No. 174. To allow James M. Roberts, a disabled Confederate of Cleburne county, to peddle without license.

Also, has concurred in the House amendments to the following Senate bills---

S. No. 174. To detach the county of Chilton from the second judicial circuit and attach the same to the tenth judicial circuit.

And has passed the House bill---

H. R. No. 441. To authorize and require the board of revenue of Montgomery county to discharge the duties and exercise the authority of the court of county commissioners of said county.

The Senate has amended as therein shown, and passed the bills---

H. R. No. 25. In relation to the feeding of prisoners in jail.

H. R. No. 58. To amend section 7, chapter 11 of an act

to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

J. M. CARMICHAEL,
Secretary.

SENATE BILLS SIGNED.

The Speaker in the presence of the House, immediately after the titles thereof had been publicly read, signed the following Senate bills---

s. No. 141. To increase the criminal jurisdiction of the justices of the peace and notaries public having like powers in the counties of Lee, Madison, Jackson, Clarke and Choctaw,

s. No. 22. To provide for the trial of criminal cases upon particular days.

s. No. 343. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within $3\frac{1}{2}$ miles of the Prattville Male and Female Academy, in the town of Prattville, and county of Autauga.

s. No. 105. To amend the proceedings in the city court of Mobile.

s. No. 122. To amend section 2358 of the Revised Code.

s. No. 149. To amend section 3601 of the Revised Code.

s. No. 106. To amend section 4339 of the Revised Code.

s. No. 223. To amend section 654 of the Revised Code.

s. No. 161. To amend section 3945 of the Revised Code with relation to the jurisdiction of offenses committed on or near county boundaries.

s. No. 245. To amend sections 4330 and 4331 of the Revised Code, in so far as the same applies to the county of Lowndes.

s. No. 113. To authorize the Mobile and Girard Railroad Company to issue bonds and execute mortgages or deeds of trust to secure the same.

s. No. 391. To amend an act to establish the Canebrake agricultural district, to provide for the securing the same and the management of its affairs, and to repeal sections 8, 9, 10 and 11 of said act.

s. No. 284. To amend section 1 of an act to amend the charter of the city of Montgomery, &c.

Mr. Manasco, of Walker, presented the following protest, and it was ordered to be spread on the journal :

HOUSE OF REPRESENTATIVES,
February 8, 1877.

Mr. Speaker :

I respectfully ask leave to spread on the journal of this House my solemn protest against the passage of the bill to change the boundary lines between the counties of Walker, Blount and Jefferson, on the following grounds :

1st. Said bill is unjust in taking from Walker county a large portion of her tax-paying citizenship, leaving the remnant of that county burdened with debt contracted for the benefit of the people detached by said bill.

2d. It is unwise, because it deprives Walker county of a large number of Democratic voters, leaving that county hereafter an easy prey to the evils of Radicalism.

3d. It is in direct conflict with the wishes of a large majority of the people of Walker county.

4th. It belongs to that species of special local legislation, upon which the Constitution of 1875 indignantly frowns, and which has been productive in the past of nothing but discontent and contention.

JOHN MANASCO,
Representative from Walker county.

The House resumed the consideration of the Senate bill—

s. No. 242. To authorize the redemption of real estate when sold for taxes and purchased by the State.

The motion to reconsider was lost.

On motion of Mr. Glennon the clerk was instructed to return the bill to the Senate.

The House concurred in the Senate amendment, (it being a substitute) for the bill—

H. R. No. 566. To provide for the funding of the debts of municipal corporations.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Kelly, Kennedy, Kirkland, McDavid, McFarlane, McKinsty, McKleroy, McMath, Prowell, Rice, Ross, Smith, Snoddy, Stephens, of

Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch—60.

Also concurred in the amendments of the Senate to the bill—

H. R. No. 202. To prescribe the manner of taking up certain stock found trespassing within the Canebrake agricultural district, established by act, approved 20th of February 1866.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Baker, Baldwin, Baxter, Beard, Betts, Booker, Butler, Brodnax, Caldwell, Crews, Crump, Darden, Dean, Dillon, Doster, Espy, Foshee, George, Gibson, Gilmer, Goldthwaite, Glenn, Glennon, Griffin, Grove, Harris, Harrington, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McDavid, McKleroy, McMath, McWhorter, Prowell, Rodgers, Saunders, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Welch ---56.

Mr. Jolly submitted the following report :

To the President of the Senate and Speaker of the House of Representatives :

The committee of conference to whom was submitted the matter of disagreement between the two Houses, on the Senate amendment to the House bill, No. 174, entitled "an act to reduce the rate of taxation in this State, have had the same under consideration, and instruct us to report in favor of the adoption of the Senate amendment and with that amendment recommend the passage of the bill.

W. H. CHAMBERS,
Ch'm Senate Com.

JNO. J. JOLLY,
Ch'm House Com.

The report was adopted—Yeas 71, nays 6.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Booker, Butler, Brown, Caldwell, Crump, Darden, Dean, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hollis, Holloway, Hubbard, Jack, Jolly, Jones,

Kelly, Kennedy, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McFarlane, McKleroy, McMath, McWhorter, Prowell, Rice, Ross, Saunders, Smith, Snoddy, Speake, Stephens, of Perry, Taylor, Townsend, Wall—71.

Nays—Messrs. Bishop, Kirkland, Manasco, of Walker, Titcomb, Ussery and Welch—6.

The House then proceeded to the consideration of the amendment of the Senate to the bill—

H. R. No. 25. In relation to feeding of prisoners in jail.

Mr. Kennedy moved to amend by striking out, "at the time of the adoption of the constitution now in force," and insert after the word sheriff "now" so as to make it read, Provided the provisions of this act shall not apply to any sheriff now in office, but shall be of force after the expiration of the terms of such sheriffs.

On motion of Mr. Fletcher the amendment was laid on the table, and the House concurred in the amendment of the Senate—Yeas 66, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Glennon, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kennedy, Mott, McAdory, McDavid, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Prowell, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Welch—66.

Nay—Mr. Gilmer.

Also, concurred in the amendment of the Senate to the bill—

H. R. No. 571. To allow Jones M. Roberts to peddle without license.

Yeas 50, nays 4.

Yeas—Messrs. Allen, Baldwin, Beers, Betts, Booker, Butler, Blevins, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gibson, Goldthwaite, Glenn, Glennon, Grove, Hansburger, Harrington, Hobson, Holloway, Jack, Jolly, Jones, Kennedy, McAdory, McDavid, McFarlane, McMath, McWhorter, Rodgers, Smith, Snoddy, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch—50.

Nays—Messrs. Baxter, Bishop, Hubbard, Manasco, of Winston—4.

Also, concurred in the amendments of the Senate to the bill—

H. R. No. 58. To amend section 7, of chapter 11, of the act to establish a Revenue Code, &c.

Yeas 51, nays 8.

Yeas—Messrs. Speaker, Allen, Baxter, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Cashin, Cunningham, of Monroe, Crump, Darden, Dean, Denman, Dillon, Doster, Forwood, Foshee, George, Gibson, Goldthwaite, Glenn, Griffin, Grove, Hansburger, Harrington, Holloway, Hubbard, Jack, Jackson, Johnston, Kennedy, Manasco, of Winston, McAdory, McDavid, McDuffie, McFarlane, McWhorter, Rodgers, Saunders, Smith, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—51.

Nays—Messrs. Blevins, Crews, Herndon, Jolly, Manasco, of Winston, Muldon, McMath and Snoddy—8.

Mr. Brown from select committee reported favorably to the Senate bill—

S. No. 376. To create the office of commissioner of swamp and overflowed lands, and to define the duties thereof.

The bill ordered to a third reading forthwith, read third time and passed—Yeas 44, nays 20.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin Beard, Betts, Bishop Booker, Blevins, Brodnax, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Dean, Dillon, Doster, Espy, Forwood, Gilchrist, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Jackson, Jolly, Jones, Kennedy, Kirkland, Mott, McDavid, McKinstry, McKleroy, McMath, Robinson, Rodgers, Stevens, of Coffee, Taylor, Weatherford—44.

Nays—Messrs. Baxter, Darden, Denman, Gibson, Gullett, Holloway, Hubbard, Hudson, Manasco, of Winston, Muldon, McAdory, McFarlane, McWhorter, Ross, Smith, Snoddy, Titcomb, Ussery, Wall, Welch—20.

Leave of absence was granted Messrs. Manasco, of Walker, Manasco, of Winston, Denson and Baxter for the remainder of the session.

The Speaker announced the following as the Committee on the Senate bill No. 98: Messrs. McMath, Ussery, Dillon, Baker and Allen.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after their titles had been publicly read, signed said bills:

H. R. No. 370. To allow the surplus of the bridge fund of 1876 of Pike county, to be appropriated to pay claims for repair of the court house.

H. R. No. 302. To require tax collectors and others to pay into the treasury all currency collected by them and to provide for the payment of interest on the public debt.

H. R. No. 346. Regulating the fine and forfeiture fund of the counties of Bibb, Fayette, Marion and Blount.

H. R. No. 379. To declare a lien in favor of wood workmen and blacksmiths.

H. R. No. 491. To prevent the sale of spirituous, vinous or malt liquors within three miles of Pine Apple, Wilcox county.

H. R. No. 308. For the appointment of two judges of the supreme court *pro tempore* in certain cases.

H. R. No. 533. To amend section 1 of an act for the relief of Hiram Gibson, of Jackson county, approved March 3d, 1871.

H. R. No. 425. To grant manufacturers of woolen goods beyond the State the privilege of bartering or selling such goods in Jackson county without a license.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 8, 1877.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives:

416. An act to amend section 1798 of the Revised Code.

458. An act to make appropriations for the fiscal years ending September 30, 1878.

488. An act to regulate the terms of the courts in the first judicial circuit of Alabama.

579. An act to require the collection of certain school monies belonging to township 14, range 13, Lowndes

county, and payment of the same into the State treasury.

349. An act for the relief of M. A. Cooke, of Dale county.

487. An act to require the the payment to the county superintendent of education of Franklin county of the balance of the school fund due to said county on the apportionment for the scholastic year 1871-2.

308. An act for the appointment of two judges of the supreme court *pro tempore* in certain cases.

425. An act to grant manufacturers of woolen goods beyond the State the privilege of bartering or selling such goods in Jackson county without a license.

533. An act to amend section 1 of an act for the relief of Hiram Gibson, of Jackson county, approved March 3, 1871.

Respectfully,

IKE H. VINCENT,
Private Secretary.

EXECUTIVE DEPARTMENT,
Wednesday, February 8, 1877.

Mr. Speaker :

I am directed by the Governor to communicate to the House of Representatives a message in writing.

Respectfully,

IKE H. VINCENT,
Private Secretary.

The message is as follows :

Gentlemen of the Senate and the House of Representatives :

The act to ratify and confirm the settlement of the existing indebtedness of the State, and to carry said settlement into effect by the issuance of new bonds of this State at a reduced rate of interest in adjustment of a portion of said indebtedness, and the surrender of certain securities held by the State in discharge of another portion of said indebtedness, in its 15th section says: "And it is further declared that upon the execution in behalf of this State of the deed of conveyance in trust as hereinafter provided, all liability of the State upon said bonds and coupons in this

section mentioned shall cease, and thereafter forever remain discharged and wholly extinguished."

It affords me much pleasure to report to the General Assembly that I have, as Governor of the State of Alabama, this day made and delivered to the trustees who were appointed in pursuance of the said act, and for the purposes therein stated and set forth, the deed of conveyance as the said act required of me as Governor of said State. Upon the execution and delivery of the conveyance as provided for in said law, *all liability of the State upon said bonds and coupons has ceased and will forever remain discharged and wholly extinguished.*

That transaction involving the two millions of straight State bonds as loaned to the Alabama and Chattanooga Railroad Company, is therefore fully and in all things closed as far as the State liability is concerned.

GEO. S. HOUSTON,
Governor.

Executive Department, February 8, 1877.

The House adjourned until 3½ P. M.

EVENING SESSION.

The House reassembled at the hour of 3½ P. M.

On motion of Mr. Harris the Senate bill—

s. No. 375. To provide for the payment of the obligations issued in pursuance of the act approved December 19, 1873, entitled an act to provide for the funding of the domestic debt of the State ;

Was taken from the table.

Mr. Rice moved to strike out the proviso in section 7.

Lost.

On motion of Mr. Hudson the vote by which the amendment was lost was reconsidered.

The amendment was adopted.

Mr. Rice moved to amend section 8 by striking out the word "issued" where it first occurs in said section, and insert in lieu of the words the following: "hereafter issued or re-issued."

Amend said section 8 by striking out all after the words "the same," where they occur in the 13th line of that section.

The amendments were adopted, and the bill ordered to a

third reading forthwith, read the third time and passed—
Yeas 44, nays 38.

Yeas—Messrs. Allen, Baldwin, Baxter, Beers, Betts, Butler, Blevins, Brown, Cunningham, of Lauderdale, Cunningham, of Monroe, Dillon, Fletcher, Forwood, George, Glennon, Griffin, Grove, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Johnston, Kelly, Kennedy, Kirkland, Lewis, Mayberry, Muldon, McAdory, McKleroy, McMath, Ramsey, Rice, Robinson, Saunders, Smith, Snoddy, Stephens, of Perry, Titcomb, Townsend, Ussery and Wall—44.

Nays—Messrs. Speaker, Baker, Beard, Bishop, Booker, Booth, Brodnax, Caldwell, Cashin, Crews, Crump, Darden, Dean, Denman, Doster, Espy, Foshee, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Hansburger, Hollis, Hubbard, Hudson, Jackson, Jolly, Jones, Manasco, of Winston, McDavid, McFarlane, McKinsty, McWhorter, Speake, Stevens, of Coffee, Weatherford and Welch—38.

Mr. Brown, from the Committee on Ways and Means, reported favorably to the Senate bill—

s. No. 176. To authorize the commissioners court of Tuscaloosa county to levy and collect a tax to pay debts existing on the 6th day of December, 1875.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 61, nays 0.

Yeas—Messrs. Speaker, Allen, Baker, Baldwin, Baxter, Beard, Beers, Betts, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glennon, Grove, Hansburger, Harrington, Hobson, Hollis, Holloway, Jackson, Jolly, Jones, Kelly, Kirkland, Manasco, of Winston, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinsty, McMath, McWhorter, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Taylor, Ussery, Wall, Welch and White—61.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 8, 1877.

Mr. Speaker:

The Senate has passed the following House bills:

H. R. No. 531. To authorize and require the Secretary

of State to deliver to the probate judge of Cullman county certain books therein named.

H. R. No. 368. To require the persons interested to furnish the revenue stamp required to be attached with the seal placed on documents and instruments.

H. R. No. 385. To amend sub-division 18 of section 7 of chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 383. To amend sub-division 1 of section 7 of chapter 9 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 447. To authorize executors and administrators to defray, out of the assets of estates in their hands undistributed, the necessary and reasonable expenses of the maintenance and education of minors who have no guardians entitled to distribution in such estates.

H. R. No. 153. To authorize the continued prosecution and final disposition of a suit in chancery, pending in the second district of the Southern Chancery Division, wherein James R. Powell, Urbana L. Jones, and others, are complainants in relation to swamp and overflowed lands.

H. R. No. 388. To amend paragraph 2, section 5, chapter 3, of the Revenue Code.

And has concurred in House amendments to the following Senate bills:

s. No. 231. To provide for the collection of delinquent taxes.

s. No. 242. To authorize the redemption of real estate sold for taxes and purchased by or in the name of the State.

Senate refuses to concur in House amendments to the bill—

s. No. 191. To amend section 49 of the Revised Code.

J. M. CARMICHAEL,
Secretary.

SIGNING SENATE BILLS.

The Speaker, in the presence of the House immediately after the titles thereof had been publicly read, signed the following Senate bills:

s. No. 370. To change the boundary line between the counties of Blount, Walker and Jefferson, and to authorize the removal of the county seat of Blount county.

s. No. 132. To amend subdivision 6 of section 2716 of the Revised Code.

s. No. 139. To authorize the revival of chancery suits in certain cases

s. No. 49. To make an additional appropriation for the purpose of carrying into effect an act for the relief of maimed soldiers, approved March 6, 1876.

Mr. Betts, from the Committee on Ways and Means, reported favorably to the Senate bill—

s. No. 224. To repeal section 10 of chapter six of an act to establish a Revenue Code, &c.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 53, nays 0.

Yeas—Messrs. Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown, Caldwell, Crews, Darden, Dean, Denman, Dillon, Doster, Espy, Forwood, Foshee, Gibson, Goldthwaite, Gullett, Glenn, Grove, Hansburger, Harrington, Hobson, Holloway, Jackson, Jones, Kelly, Kennedy, Kirkland, Manasco, of Winston, Muldon, McDavid, McKinstry, McKleroy, McWhorter, Ramsey, Robinson, Ross, Saunders, Smith, Speake, Taylor, Titcomb, Townsend, Ussery, Wall, Welch and White—53.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 8, 1877.

Mr. Speaker:

The Senate has passed the following House bills:

H. R. No. 591. To change the county line between the counties of Clay and Tallapoosa.

H. R. No. 552. To prescribe the manner in which sales or leases of the 16th section lands in certain townships in Baldwin county may be made.

H. R. No. 576. To amend an act for the relief of Ben DeLemos, passed by the Board of Education, approved December 11, 1874.

H. R. No. 526. To ratify the action of the commissioners court of Randolph county in authorizing the tax collector to receive certain claims in payment of county taxes.

H. R. No. 509. For the relief of John D. Hudson, former Superintendent of Education for Covington.

H. R. No. 563. To provide for the establishing of a sepa-

rate school district to be known as the "Oxmoor District" at Oxmoor, in Jefferson county, with certain powers and privileges of levying taxes to sustain said school district.

H. R. No. 303. A bill to be entitled an act to regulate the trial of misdemeanors in Madison county;

And has amended as therein shown, and passed—

H. R. No. 215. To require the criminal docket in the circuit court of Madison county to be taken up on the 4th week of the session.

And has passed House bill—

H. R. No. 502. To amend an act to authorize the commissioners court of Franklin county and other counties therein named to lay off their respective counties into four commissioners districts.

The Senate has amended as therein shown, and passed the following House bills:

H. R. No. 571. To allow James M. Roberts, a disabled Confederate soldier, of Cullman county, to peddle without license.

H. R. No. 122. To abolish the office of tax collector in the counties of Baldwin, Colbert, Escambia and Sanford.

The Senate has concurred in the House amendments to the bill—

S. No. 166. To punish obstructions of Rail Roads.

J. M. CARMICHAEL,
Secretary.

SENATE CAMBER, February, 8, 1877.

Mr Speaker :

The Senate has passed House bills as follows:

H. R. No. 307. To authorize Walter T. Stringer, of Clarke county, a blind man, to dispense wares and merchandise by peddling or otherwise without license in the county of Clarke.

H. R. No. 525. To fix the time and regulate the terms of holding the circuit courts of Randolph and Clay counties.

H. R. No. 438. To repeal an act to authorize the commissioners courts of Franklin and other counties therein named to lay off their respective counties into four commissioners districts, approved February 16, 1875, in so far as the same relates to Jackson county.

H. R. No. 595. To authorize the court of county commissioners of Cullman county to levy a special tax to pay the

pro rata indebtedness of the counties out of which said county is formed.

J. M. CARMICHAEL,
Secretary.

SENATE CHAMBER, February 8, 1877.

Mr Speaker :

The Senate has passed House bills as follows :

H. R. No. 431. To amend an act to empower the courts of county commissioners to levy a special tax for the purpose of building court houses or jails, or for the improvement of the same, approved February 15, 1876.

H. R. No. 581. To consolidate the offices of circuit clerk and tax assessor in and for the county of Escambia.

H. R. No. 484. To abolish the office of tax collector of the counties of Bibb and Colbert, and to require the sheriffs of said counties to collect the taxes.

H. R. No. 472. To abolish the court of county commissioners of Wilcox county.

H. R. No. 587. To fix the rate of taxation on banks chartered by and organized under the laws of this State in lieu of any bonus now required to be paid by them, and to prescribe the mode of paying the same.

H. R. No. 414. To amend an act to induce immigration into the State of Alabama.

H. R. No. 546. To require the Secretary of State to furnish the Agricultural and Mechanical College, and the Asylum for Deaf, Dumb and Blind, copies of reports of the several State departments, of Trustees of the University and committee visiting the same, and the journals of the Senate and House of Representatives.

And has amended, as therein shown, and passed---

H. R. No. 467. To amend sections 2961 and 2962, and to repeal section 2963 of the Revised Code.

J. M. CARMICHAEL.

Secretary.

The House concurred in the amendment of the Senate to the bill—

H. R. No. 467. To amend sections 2961 and 2962, and to repeal section 2963 of the Revised Code.

Yeas 50, nays 1.

Yeas---Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Brodnax, Brown,

Cunningham, of Lauderdale, Crews, Darden, Denman, Dillon, Doster, Fletcher, Foshee, Gibson, Gilchrist, Goldthwaite, Glenn, Griffin, Hansburger, Harrington, Hobson, Holloway, Hubbard, Jackson, Jolly, Jones, Kennedy, Muldon, McDavid, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Rodgers, Ross, Saunders, Stevens, of Coffee, Taylor, Titcomb, Ussery, Wall, Welch---50.

Nay—Mr. Smith—1.

Mr. Hubbard, from the Committee on Privileges and Elections, reported adversely to the Senate bill—

s. No. 74. To amend section 1 of an act, approved March 6, 1876, entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, &c., of the act to regulate elections in the State of Alabama, approved 3d March, 1875.

The House refused to concur in the report.

Mr. Cashin moved to amend by striking out "twenty thousand" and inserting "ten thousand."

Lost.

Mr. Rice moved to amend by striking out "twenty thousand" and inserting "eleven thousand."

Lost—Yeas 7, nays 57.

Yeas—Messrs. Booth, Blevins, Cashin, Johnston, Lewis, Rice, Stephens, of Perry—9.

Nays—Messrs. Speaker, Allen, Beard, Beers, Betts, Bishop, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Crews, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gilchrist, Goldthwaite, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jolly, Jones, Kelly, Kennedy, Mott, Muldon, McAdory, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Rodgers, Ross, Saunders, Speake, Stevens, of Coffee, Taylor, Titcomb, Tssery, Wall, and White—57.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 68, nays 0.

Yeas—Messrs. Speaker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Kennedy, Lewis, Mott, Muldon, McAdory, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Rice, Robinson, Rodgers,

Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Titcomb, Ussery, Wall, Weatherford, Welch—68.

Mr. McKleroy, from the Committee on Education, reported favorably with amendments to the Senate bill—

s. No. 303. For the relief of officers and teachers of public schools.

Amend section 1, by way of a substitute.

Strike out section 2 and number section 3 as section 2.

The amendments were adopted and the bill ordered to a third reading, read the third time and passed—Yeas 50, nays 1.

Yeas—Messrs. Beard, Beers, Betts, Booker, Brown, Caldwell, Crews, Crump, Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jolly, Jones, Kelly, Mott, Muldon, McAdory, McDavid, McKinstry, McKleroy, McMath, McWhorter, Robinson, Ross, Smith, Speake, Taylor, Titcomb, Ussery, Wall—50.

Nay—Mr. Snoddy.

Mr. Brown, from the Committee on Ways and Means, reported favorably to the Senate bill—

s. No. 266. To amend subdivision 10, of section 4, of chapter 3, of the act to establish a Revenue Code.

The bill was laid on the table.

Also, from same committee, favorably to the Senate bill—

s. No. 201. To authorize W. N. Sears, of the county of Macon, to peddle without license.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 49, nays 2.

Yeas—Messrs. Baker, Beard, Beers, Booker, Blevins, Brodnax, Brown, Caldwell, Crews, Crump, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Jack, Jackson, Jolly, Jones, Kelly, Mott, McAdory, McDavid, McFarlane, McKleroy, McMath, McWhorter, Ross, Smith, Speake, Taylor, Ussery, Wall, Welch—49.

Nays—Messrs. Bishop and Goldthwaite—2.

The House concurred in the amendment of the Senate to the bill—

H. R. No. 415. To require the criminal docket in the

circuit court of Madison county, to be taken up on 4th week of the session.

Yeas 55, nays 1.

Yeas---Messrs. Baker, Baldwin Beers, Betts, Booker, Brodnax, Brown, Caldwell, Crump, Darden, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jones, Kelly, Kennedy, Mott, McAdory, McDavid, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Ross, Smith, Snoddy, Speake, Taylor, Ussery, Wall, Welch, White---55.

Nays---Mr. Blevins---1.

Mr. Hudson moved to suspend the regular order of business in order to call up the following bills—

For the relief of T. P. Cottle, of Covington county.

For relief of S. A. Dauphin, Tax Collector of said county.

The House refused to suspend.

Mr. Betts from the committee on Ways and Means, reported favorably to the Senate bill—

s. No. 32. To amend section 15, chapter, 6, of an act to establish a Revenue Code.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 60, nays 0.

Yeas---Messrs. Baker, Beard, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Griffin, Grove, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Mott, Muldon, McAdory, McDavid, McFarlane, McKinsty, McKleroy, McMath, McWhorter, Ross, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Welch, White---60.

Mr. Dillon from the committee on education reported favorably to the Senate bill—

s. No. 180. To carry into effect the intention of the congress of the United States in its donation of certain lands, or land scrip to the legislature of the State of Alabama, by the act approved July 2d, 1862.

The bill was ordered to third reading forthwith, read third time and passed---Yeas 54, nays 0.

Yeas---Messrs. Baker, Beard, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Crews, Crump, Darden,

Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McWhorter, Ross, Smith, Speake, Taylor, Titcomb, Ussery, Wall, Welch—54.

Also, from same committee reported favorably to the Senate bill—

s No. 368. To empower the Gaylesville high school, in the town of Gaylesville, Cherokee county to issue diplomas.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 53, nays 0.

Yeas—Messrs. Speaker, Baker, Beard, Beers, Betts, Bishop, Booker, Blevins, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Denman, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Goldthwaite, Glenn, Glennon, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Kennedy, Muldon, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ross, Smith, Taylor, Ussery, Wall, Welch and White—53.

Also, from same committee reported favorably to the Senate bill—

s. No. 345. To authorize the county superintendent of Lee county to pay certain debts, contracted by the trustees of the public schools of the city of Opelika.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 49, nays 7.

Yeas—Messrs. Speaker, Baker, Baldwin, Beard, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, Denman, DeLemos, Espy, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Griffin, Grove, Herndon, Hollis, Holloway, Jackson, Jolly, Jones, Kelly, Kennedy, Muldon, McAdory, McDavid, McDuffie, McKleroy, McMath, McWhorter, Ross, Shields, Smith, Speake, Ussery, Wall, Weatherford, Welch, White—49.

Nays—Messrs. Bishop, Dillon, Doster, Fletcher, McFarlane, McKinstry, and Titcomb—7.

The House concurred in the amendment of the Senate to the bill—

H. R. No. 122, To abolish the office of tax collector in the counties of Baldwin, Colbert, Escambia, and Sanford.

Yeas 62, nays 0.

Yeas—Messrs. Speaker, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, DeLemos, Dillon, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McKleroy, McMath, McWhorter, Ross, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch and White—62.

Mr. Brown, from the Committee on Local Legislation, reported favorably, with amendments, to the Senate bill—

s. No. 271. To prohibit the sale of spirituous liquors within three miles of the Female Academy at Spring Hill, in Marengo county.

Amend by adding after the words "Spring Hill" the words "within Nanafalia precinct."

Amend caption to correspond.

The amendment was adopted.

And the bill was ordered to a third reading forthwith, read the third time and passed---Yeas 60, nays 0.

Yeas—Messrs. Speaker, Baker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Gullett, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kennedy, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McWhorter, Ross, Smith, Speake, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White---60.

Mr. Jolly, from the Committee on Corporations, reported favorably to the Senate bill—

s. No. 377. To release from taxation notes and mortgages given by members of building and loan associations to such associations;

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 48, nays 10.

Yeas—Messrs. Baker, Baldwin, Beers, Booker, Brodnax, Brown, Caldwell, Cashin, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, George, Gibson, Glenn, Glennon, Griffin, Grove, Harris, Herndon, Hobson, Hollis, Hudson, Jack, Jackson, Jolly, Jones, Johnston, Kennedy, Manasco, of Walker, Manasco, of Winston,

Mott, Muldon, McAdory, McDavid, McDuffie, McWhorter, Ross, Smith, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—48.

Nays—Messrs. Speaker, Betts, Fletcher, Foshee, Gilchrist, Gullett, Harrington, Holloway, McFarlane and Speake—10.

Mr. Jolly, from same committee, reported favorably to the Senate bill—

s. No. 290. To authorize the mayor and council of the town of Union Springs to adjust or compromise the bonded indebtedness of said town ;

The bill was then ordered to a third reading forthwith, read the third time and passed—Yeas 50, nays 2.

Yeas—Messrs. Speaker, Baker, Beard, Beers, Betts, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gullett, Glenn, Glennon, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Jackson, Jolly, Jones, Kelly, Kennedy, Mott, McAdory, McDavid, McDuffie, McKinstry, McMath, Ross, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch—50.

Nays—Messrs. Baldwin, White—2.

Also, from same committee, favorably to the bill—

s. No. 277. To amend section 19 of an act to incorporate the town of Gadsden, approved March 6, 1875 ;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 51, nays 2.

Yeas—Messrs. Speaker, Baker, Beard, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Forwood, Foshee, George, Gibson, Gilchrist, Glenn, Glennon, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Muldon, McAdory, McDavid, McFarlane, McMath, Ross, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—51.

Nays—Messrs. Fletcher, Speake—2.

Also, favorably to the Senate bill—

s. No. 387. To incorporate the Talladega Presbytery ;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 55, nays 0.

Yeas—Messrs. Speaker, Baker, Baldwin, Beard, Beers, Betts, Booker, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Denman, Denson, DeLemos, Dillon, Doster, Espy,

Fletcher, Foshee, George, Gibson, Gilchrist, Glenn, Glennon, Grove, Hansburger, Harris, Harrington, Herndon, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Mott, Muldon, McAdory, McDavid, McFarlane, McKinstry, McMath, Speake, Taylor, Titcomb, Ussery, Wall, Weatherford, Welch, White—55.

Mr. Herndon, from the Judiciary Committee, reported favorably to the Senate bill—

s. No. 392. To revive sections 2061, 2880, 2883 and 2884 of the Revised Code ;

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 46, nays 6.

Yeas—Messrs. Speaker, Beard, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Crews, Crump, Dillon, Doster, Espy, Fletcher, Foshee, George, Gilchrist, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Herndon, Hobson, Hollis, Holloway, Hubbard, Jack, Jackson, Jolly, Jones, Kelly, Mott, McAdory, McFarlane, McKinstry, McMath, Ross, Snoddy, Speake, Taylor, Wall, Weatherford, Welch—46.

Nays—Messrs. Darden, Denman, Gibson, Harrington, Hudson, Ussery—6.

Mr. Brown, from the Committee on Local Legislation, reported favorably to the Senate bill—

s. No. 381. For the relief of Julia K. Coleman, and other persons, of Butler county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 52, nays 0.

Yeas—Messrs. Speaker, Baldwin, Beard, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Crews, Crump, Darden, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, George, Gibson, Gilchrist, Glenn, Glennon, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hollis, Holloway, Hubbard, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Mott, McAdory, McDavid, McFarlane, McKinstry, McMath, Ross, Snoddy, Stephens, of Perry, Taylor, Titcomb, Ussery, Wall, Weatherford and Welch—54.

Mr. Harrington, from the Committee on Finance, reported favorably to the Senate bill—

s. No. 300. For the relief of Simeon O'Neal, Judge of Probate of Russell county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 52, nays 0.

Yeas—Messrs. Speaker, Baldwin, Beers, Betts, Bishop, Booker, Brodnax, Brown, Caldwell, Crews, Crump, Dar-

den, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Foshee, George, Gibson, Gilchrist, Glenn, Glennon, Griffin, Grove, Hansburger, Harrington, Herndon, Hobson, Hollis, Holloway, Hudson, Jack, Jackson, Jolly, Jones, Kelly, Muldon, McAdory, McDavid, McFarlane, McKinstry, McMath, Ross, Snoddy, Taylor, Titcomb, Ussery, Wall, Weatherford and Welch—52.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 8, 1877.

Mr. Speaker :

The Senate concurs in the House amendments to the Senate bill—

s. No. 303. For the relief of officers and teachers of public schools.

J. M. CARMICHAEL,
Secretary.

Mr. Fletcher, from the Committee on Enrolled Bills, reported favorably on the following bills, and the Speaker in the presence of the House, and immediately after their titles had been publicly read, signed said bills:

H. R. No. 51. To organize and regulate a system of public instruction for the State of Alabama.

H. R. No. 576. To amend an act for the relief of Benj. DeLemos, passed by the Board of Education, approved December 11, 1874.

H. R. No. 566. To provide for the funding of debts of municipal corporations.

H. R. No. 388. To amend paragraph 2, section 5, chapter 3, of the Revenue Code, approved March 6, 1876.

H. R. No. 423. To amend section 7 of chapter 4 of the Revenue Code.

H. R. No. 202. To prescribe the manner of taking up stock found trespassing within canebrake agricultural district, established by act, approved 20th February, 1866.

H. R. No. 153. To authorize the continued prosecution and final disposition of a suit in chancery, pending in the Second District of the Southern Chancery Division, wherein Jrmes R. Powell, Urbane L. Jones, and others, are complainants in relation to swamp and overflowed lands.

H. R. No. 587. To fix the rate of taxation on banks char-

tered by and organized under the laws of this State in lieu of any bonus now required to be paid by them, and to prescribe the mode of paying the same.

H. R. No. 122. To abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford.

H. R. No. 571. To allow James M. Roberts, of Cleburne county, and James L. Williams, of Henry county, to peddle without license.

H. R. No. 421. To amend section 9 of chapter 4 of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 58. To amend section 7, chapter 11, of an act to establish a Revenue Code for the State of Alabama, approved March 6, 1876.

H. R. No. 174. To reduce the rate of taxation in this State.

Mr. Blevins submitted the following protest, and it was allowed to be spread on the Journal:

The undersigned, members of the House of Representatives from Dallas county, hereby protest against the passage of the bill entitled "a bill to be entitled an act to provide for the collection of delinquent taxes," for the following reason: The constitution expressly provides that "no bill shall become a law unless on its final passage it be read at length," &c. This provision was not observed in the passage of this bill, but was wholly neglected. The bill was materially amended and after such amendment it was not read at length as amended, although the undersigned called for its reading.

W. H. BLEVINS,
W. J. STEVENS,

Members of the House of Representatives from Dallas county.

On motion of Mr. Griffin, the House adjourned until 9½ o'clock to-morrow morning.

FIFTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, February 9, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Crump of the House.

On the call of the roll there were present :

Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Booth, Butler, Blevins, Brown, Caldwell, Cashin, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Grove, Hansburger, Harris, Harrington, Holloway, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Lewis, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKistry, McKleroy, McMath, Prowell, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Titcomb, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White.

Mr. Jolly offered the following resolution :

Which was adopted.

Resolved by the House of Representatives, That the leave of absence heretofore asked for, and in behalf of Hon. William E. Cockrell, as member of this House from the county of Greene be, and is hereby granted to take effect from the time he was summoned to attend as a witness at Washington city, and that the Speaker of this House be respectfully requested and instructed to conform his action in certifying as to the compensation of said Cockrell to this resolution of the House.

By leave, Mr. Mott offered the following joint resolution:

Which was adopted.

Resolved by the House, the Senate concurring, That the Secretary of State be authorized and instructed to sell all except two hundred copies of present Revised Code, now in his hands at such a price as he may be able to obtain from purchasers.

By leave, Mr. Harrington, from the Committee on Finance, reported favorably to the Senate bill—

s. No. 236. To require the tax collector of Bullock county to receive in payment of county taxes, registered claims against the general fund of said county.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 60, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Butler, Brown, Caldwell, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, Gibson, Gilchrist, Goldthwaite, Gullett, Glennon, Grove, Harris, Harrington, Herndon, Hobson, Holloway, Jack, Jolly, Jones, Kelly, Kennedy, Kirkland, Mott, McAdory, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Townsend, Weatherford, Welch and White—60.

Nay—Mr. Blevins—1.

s. No. 238. To limit and restrict the commissioners court of Bullock county in assessing and collecting special taxes

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 62, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Beard, Beers, Betts, Bishop, Booker, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Dillon, Doster, Espy, Fletcher, Forwood, George, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Grove, Harris, Harrington, Jack, Jackson, Jolly, Jones, Kennedy, McDavid, McDonald, McFarlane, McKinstry, McKleroy, McMath, Prowell, Ramsey, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch White—62.

Nay—Mr. Blevins—1.

Mr. Harrington, from the Committee on Finance, reported adversely to the Senate bill—

s. No. 384. To settle the claims of Alexander White and John White for professional services rendered the State.

Mr. Fletcher moved to lay the bill and the report on the table.

Mr. Jolly called for a division of the question.

The vote being first taken on laying the report on the table.

Carried.

The House refused to lay the bill on the table.

Pending the consideration, Mr. Stephens, of Coffee, offered the following resolution:

Which was adopted.

Resolved by the House, the Senate concurring, That for the purpose of allowing the Governor time to read and consider the bills that have been delivered to him this morning, the two Houses will remain in session until 5 P. M., at which time the General Assembly shall adjourn *sine die*, but no business shall be transacted after the hour of 12 M.

The House resumed the consideration of the Senate bill No. 384.

Mr. Ramsey moved to indefinitely postpone the further consideration of the bill.

Lost—Yeas 36, nays 39.

Yeas—Messrs. Allen, Baker, Betts, Bishop, Booker, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, Espy, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Glenn, Grove, Hansburger, Hollis, Holloway, Hudson, Jones, Kirkland, Mott, McFarlane, McKinstry, Ramsey, Rodgers, Ross, Smith, Speake, Townsend, Ussery, Wall and Welch—36.

Nays—Messrs. Speaker, Baldwin, Beers, Butler, Blevins, Brown, Cashin, Crews, Dean, DeLemos, Dillon, Gilchrist, Gullett, Glennon, Harris, Harrington, Herndon, Hobson, Jack, Jackson, Jolly, Johnston, Kelly, Kennedy, Lewis, Mayberry, Muldon, McDonald, McKleroy, McMath, Rice, Robinson, Snoddy, Stephens, of Coffee, Stephens, of Perry, Taylor, Titcomb, Weatherford and White—39.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 37, nays 34.

Yeas—Messrs. Speaker, Baldwin, Beers, Bishop, Butler, Blevins, Brown, Cashin, Crews, Dean, DeLemos, Dillon, Gilchrist, Gullett, Glennon, Harris, Harrington, Herndon, Hobson, Jack, Jackson, Jolly, Johnston, Kelly, Kennedy, Lewis, Mayberry, Muldon, McDonald, McKleroy, McMath, Rice, Robinson, Snoddy, Stevens, of Coffee, Stephens, of Perry, Titcomb, White—37.

Nays—Messrs. Allen, Baker, Beard, Betts, Booker, Cunningham, of Lauderdale, Cunningham, of Monroe, Crump, Darden, Denman, Espy, Fletcher, Forwood, Foshee, Gibson, Goldthwaite, Glenn, Grove, Hansburger, Hollis, Holloway, Hudson, Jones, Kirkland, McFarlane, McKinstry, Ramsey, Ross, Smith, Speake, Townsend, Ussery, Wall, Welch—34.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 9, 1877.

Mr. Speaker :

The Senate has concurred in House amendments to the bill—

s. No. 271. To prohibit the sale of spirituous or vinous liquors within three miles of the Female Academy at Spring Hill, in Marengo county.

And has passed House bill—

H. R. No. 220. To regulate the publication of legal notices in this State.

H. R. No. 558. To punish persons engaged in business who under a false promise or pretense of carrying on trade, obtains money or thing of value with intent to defraud.

H. R. 543. Making an appropriation for the use of the supreme court library by the members of the General Assembly, &c.

H. R. No. 337. To repeal so much of an act entitled an act to prohibit the sale or giving away of liquors within three miles of Oak Bowery and Bethel Methodist Episcopal churches in Butler county, as relates to Oak Bowery church.

H. R. No. 545. For the relief of J. W. Hall, of Geneva county,

H. R. 359. To further secure the rights of aliens to inherit, own and transmit real and personal property within this State.

J. M. CARMICHAEL,
Secretary,

SIGNING SENATE BILLS.

The Speaker, in the presence of the House, immediately after the titles thereof had been publicly read, signed the following Senate bills :

s. No. 392. To revive sections 2061, 2880, 2882, 2883 and 2884 of the Revised Code of Alabama.

s. No. 303. For the relief of officers and teachers of public schools.

s. No. 290. To authorize the mayor and council of the

town of Union Springs to adjust and compromise the bonded indebtedness of said town.

s. No. 300. For the relief of Simon O'Neal, judge of probate of Russell county.

s. No. 231. To provide for the collection of delinquent taxes.

s. No. 176. To authorize the commissioner's court of Tuscaloosa county to levy a special tax, &c.

s. No. 345. To authorize the county superintendents of Lee county to pay certain debts contracted by the trustees of the public schools of the city of Opelika, &c.

s. No. 375. To provide for the payment of the obligations of the State issued in pursuance of the act approved December 19, 1873, entitled an act to provide for the funding of the domestic debt of the State.

s. 377. To release from taxation notes and mortgages given by members of Building and Loan Associations.

s. No. 381. For the relief of Julia K. Coleman and others, of Butler county.

s. No. 74. To amend section 1 of an act approved March 6, 1876, to amend certain sections of the act to regulate elections in this State.

s. No. 376. To create the office of commissioner of swamp and overflowed lands.

ENROLLED BILLS SIGNED.

Mr. Fletcher, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, and the Speaker, in the presence of the House, and immediately after their titles had been publicly read, signed said bills:

H. R. No. 467. To regulate the lien of landlords for rent, advances, &c.

H. R. No. 431. To amend the act to empower the courts of county commissioners to levy a special tax, &c., approved February 15, 1876.

H. R. No. 563. To provide for the establishment of a separate school district, to be known as the Oxmoor district, Jefferson county.

H. R. No. 383. To amend subdivision 1, of section 7, of chapter 9 of an act to establish a Revenue Code, &c.

H. R. No. 385. To amend subdivision 18, section 7, of chapter 9 of an act to establish a Revenue Code, &c.

H. R. No. 546. To require the Secretary of State to furnish the Agricultural and Mechanical College and the

Asylum for the Deaf, Dumb and Blind, copies of reports of several State departments, of trustees of the University, &c.

H. R. No. 526. To ratify the action of the commissioners' court of Randolph county in authorizing the tax collector of said county to receive certain claims in payment of county taxes.

H. R. No. 531. To authorize and require the Secretary of State to deliver to the probate judge of Cullman county certain books therein named.

H. R. No. 415. To require the criminal docket of the circuit court of Madison county to be taken up on the 4th week of the session.

H. R. No. 25. In relation to the feeding of prisoners in jail.

H. R. No. 363. To regulate the levy of special taxes by commissioners' courts.

H. R. No. 368. To require the persons interested to furnish the revenue stamp required to be attached with the seal placed on documents and instruments.

H. R. No. 502. To amend an act entitled an act to authorize the commissioners' court of Franklin and other counties therein named, to lay off their respective counties into four commissioners' districts.

H. R. No. 392. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within one mile of Bethany church, in Pickens county.

H. R. No. 530. To fix the time of holding the circuit court of the county of Cullman, of the fifth judicial circuit.

H. R. No. 441. To authorize and require the board of revenue of Montgomery county to discharge the duties and exercise the authority of the court of county commissioners of said county.

H. R. No. 551. To prescribe the manner in which sales or leases of 16th section lands, in certain townships in Baldwin county, may be made.

H. R. No. 591. To change the county line between the counties of Clay and Tallapoosa.

H. R. No. 472. To abolish the court of county commissioners of Wilcox county.

H. R. No. 595. To authorize the court of county commissioners of Cullman county to levy a special tax, &c.

H. R. No. 525. To fix the time and regulate the terms of holding the circuit courts of Randolph and Clay counties.

H. R. No. 569. For the relief of John D. Hudson, &c.

H. R. No. 414. To amend an act to induce immigration, &c.

H. R. No. 303. To regulate the trial of misdemeanors in Madison county.

H. R. No. 307. To authorize Walter Stringer, of Clarke county, a blind man, to dispense wares, &c., without license in the county of Clarke.

H. R. No. 581. To consolidate the offices of circuit clerk and tax assessor in and for the county of Escambia.

H. R. No. 447. To authorize executors and administrators to defray out of the assets of estates in their hands undistributed, the necessary and reasonable expenses of the maintenance and education of minors who have no guardians, entitled to distributions in such estates.

H. R. 545. For relief of J. W. Hall, of Geneva county.

H. R. No. 359. To further secure the rights of aliens to inherit, own and transmit real and personal property within this State.

H. R. No. 543. Making an appropriation for the use of the supreme court library by the members of the General Assembly and officers of the State.

H. R. No. 327. To repeal so much of an act to prohibit the sale, &c., of liquors within three miles of Oak Bowery and Bethel Methodist Episcopal churches, in Butler county, as relates to Oak Bowery church.

H. R. No. 438. To repeal an act to authorize the commissioners' court of Franklin county, &c., to lay off their respective counties in four commissioners' districts, as to Jackson county.

The Speaker also, in the presence of the House, immediately after the titles had been publicly read, signed the following bills (engrossed copies)—

H. R. No. 484. To abolish the office of tax collector of the counties of Bibb and Colbert, and to require the sheriffs of said counties to collect the taxes.

H. R. No. 220. To regulate the publication of legal notices in the State of Alabama.

H. R. No. 558. To punish persons engaged in business, who under a false promise, or pretence of carrying on trade, obtains money or other thing of value, with intent to defraud.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, February 9, 1877.

Mr. Speaker:

The Senate has amended and adopted the House joint resolution extending the session.

J. M. CARMICHAEL,
Secretary.

On motion of Mr. Betts, the House concurred in the amendment of the Senate extending the time for final adjournment until 5 P. M.

On motion of Mr. Betts, the House took an informal recess until 3½ P. M.

The House reassembled at the hour of 3½ P. M.

SENATE BILLS SIGNED.

The Speaker in the presence of the House immediately after the captions thereof had been publicly read, signed the following Senate bills:

s. No. 32. To amend section 15, chapter 6 of an act to establish a Revenue Code for the State of Alabama.

s. No. 174. To detach the county of Chilton from the second judicial circuit, &c.

s. No. 166. To amend section 3681 of the Revised Code.

s. No. 387. To incorporate the Talladega Presbytery.

s. No. 242. To authorize the redemption of land sold for taxes and purchased by the State.

s. No. 277. To amend sec. 19 of an act to incorporate the town of Gadsden.

s. No. 201. To authorize W. N. Sears to peddle without license.

s. No. 338. To authorize the Auditor to assess property of telegraph companies.

s. No. 224. To repeal sec. 10 chapter 6, of an act to establish a Revenue Code for the State of Alabama.

s. No. 384. To settle the claim of Alex. and Jno. White.

s. No. 238. To limit and restrict the commissioners court of Bullock county.

s. No. 271. To prohibit the sale of liquors within three

miles of the Female Academy at Spring Hill in Marengo county.

s. No. 236. To require the tax collector of Bullock county to receive in payment of county taxes registered claims against the general fund of the county.

s. No. 300. For the relief of Simeon O'Neal, judge of probate of Russell county.

The journal of the evening session of February 2d, and the journal of the 3rd, 5th, 6th, 7th and 8th of February, and also the journal of to-day were read and approved.

On motion of Mr. Jolly, a committee of four were appointed to wait on the Governor and ascertain if he has any further communication to make to the General Assembly.

Committee, Messrs. Jolly, Brown, Townsend and Fletcher.

Mr. Taylor offered the following resolution :

Resolved, That the responsible and perplexing duties of the office of Speaker have been most faithfully and satisfactorily discharged by Hon. N. N. Clements, and that the thanks of the House are hereby cordially tendered to him for the impartial dignity with which he has presided over this branch of the General Assembly; that his prompt attention, urbane deportment, and firm but gentle exercise of authority, have contributed greatly to the dispatch of public business and the harmony of our proceedings. And, that while holding in kind remembrance the relations now about to be severed, we take pleasure by this testimonial in expressing our approbation of his services as Speaker, and tender to him the assurance of our best wishes for his health and prosperity.

On motion of Mr. Fletcher, the resolution was adopted unanimously by a rising vote.

Mr. DeLemos offered the following resolution :

Resolved by the House of Representatives, That the thanks of this House are due, and are hereby tendered to the Chief Clerk, Assistant-Chief Clerk, Enrolling and Engrossing Clerks and their assistants, the Clerk of the Judiciary Committee, the door-keeper and assistant door-keeper, and all other employees of the House for the faithful, courteous and efficient manner in which they have performed their respective duties.

Mr. Glennon offered the following as a substitute :

Resolved, That the thanks of this House are hereby tendered to Messrs. Ellis Phelan, W. L. Martin, Elmore Garrett and C. A. Battle, clerks of the House, for the able,

prompt, efficient and polite manner in which they have performed their respective duties.

The substitute was adopted.

Mr. Glennon offered the following resolution :

Which was adopted.

Resolved, That the thanks of the House are hereby tendered to Messrs. I. D. Hogan, door-keeper, and J. A. Robinson, assistant, and to the messenger and pages, for the faithful and impartial manner in which they have discharged their duties as such, during the present session of the General Assembly.

Mr. Gilchrist offered the following resolution---

Which was adopted :

Resolved, That this Assembly tender their thanks to the ministers of Montgomery, of the House and Senate, for opening the daily sessions of the House with prayer during the present session.

Mr. Beers offered the following resolution---

Which was adopted :

Resolved, That the thanks of the House are hereby tendered to each member of this body for the remarkable and very gratifying attention each has paid to to his public duties and deportment, especially those who have illustrated the gallantry of the body in the galleries.

Mr. Townsend, from the Committee to Wait on the Governor, reported that the Governor had no further communication to make to the General Assembly.

Mr. Speaker Clements said :

Gentlemen :

By the adoption of the joint resolution of the two houses of the General Assembly, the hour has arrived which must terminate our official relation to the country and to one another. In accordance with the usages of this occasion, and my feelings require it, that before announcing the final adjournment of the House I should say something of the duties performed—the relations sustained—a word of acknowledgement and of farewell.

We have been associated together here, as members of the General Assembly, legislating in the interest of our beloved State, during a most important and critical era in the history of the whole country.

The important events that have been transpiring since the 7th of November last—the intense political excitement

that has pervaded the entire country over the presidential election—the disturbed condition of every industrial and commercial interest of the country, and the threatening condition of political affairs, have naturally tended to excite our minds, and in some degree, had its effect upon legislation. But notwithstanding all these things, you have steadily gone forward in the faithful discharge of all your duties, and within the limited time allotted to this session, accomplished all the legislation that was deemed necessary for the good of the State. You have enacted many wholesome laws, and made many important changes, that it is hoped will redound to the good of the people.

It is to be hoped that peace and prosperity will reign throughout the entire State, and that the political waters will soon be calmed, and that truth, justice and purity of good government will be restored, and prevail throughout the whole nation.

There is no doubt in the minds of honest, fair-minded and intelligent men, that Tilden and Hendricks have been elected President and Vice-President of the United States; and all honorable and fair means, within the constitution, should be used to secure their inauguration. The liberty and safety of the people demand it. The voice of the people expressed at the ballot box should not be stifled; nor should their right to select their Chief Magistrate be arbitrated beyond the pale of the constitution. The liberty of the American people should not be overthrown or endangered. The integrity of the Union and the local self-government of these States should be preserved and the peace of the country maintained. The Democratic party demand these things—we deprecate war—we want peace.

Our work as representatives of the people, in the important trust of legislation, is now ended, and we shall at once return to our homes and to our constituency, content that our labors shall abide the test of their judgment and the experiment of time.

I beg you gentlemen, to accept my cordial thanks for your generous appreciation of my services, and for the manner in which it has been expressed. The kind sentiment expressed in the resolution just adopted, awakens in my heart the most pleasing thoughts and emotions. I shall treasure them in my memory as a precious recollection of our association as members of this General Assembly.

As your presiding officer, I am greatly indebted to you for your forbearance and generous aid in the performance

of my many and responsible duties in presiding over your deliberation. I have conscientiously endeavored to keep the pledge I made when I assumed the duties of this office---that I would to the best of my ability discharge them, faithfully, impartially and without prejudice. I have faithfully endeavored to do justice to all in my rulings; and if, at any time, I have failed to recognize the rights or done injustice to any gentleman on the floor, I assure you it was not intentional, and the only reparation in my power I now make, is in saying I regret it.

In acknowledging my obligations I cannot refrain from mentioning with gratitude those gentlemen whom I have so often called to the chair, and who so frequently and generously aided me in its labors. To these gentlemen I am greatly indebted, and I tender them my sincere thanks. I cannot forget also, to mention the able and efficient Clerk of the House and his assistant, who, by their ability, promptness and faithfulness to duty, and uniform courtesy, greatly aided the Speaker, and won the favor of the House.

My associations with all of you, gentlemen, during the labors of this session, have been those of a most agreeable and pleasant character, and during our intercourse here a friendship has grown up between us that cannot soon be forgotten. I trust and hope that many of you who now constitute this House will return again as members of the next Legislature. It is certain, however, that we will not all meet again. It is this thought that throws a shadow of sadness over this occasion. But the attachments that we have here formed, and the pleasant associations connected with our official labors here, I trust will be remembered by us and retained among the treasures of the heart. And if, perchance, any one of you, in after years, should recall my name, or think of any incident that may have occurred with which my name may be connected, I trust you will remember it with emotions of kindness, pleasure and friendship.

And now, tendering you again my grateful acknowledgements for your many favors, I heartily wish each of you, gentlemen, well, and you carry with you my sincere desire for your future success, prosperity and happiness. I now proceed to the performance of the only duty which remains to me, by announcing, as I now do, that the House of

Representatives of the State of Alabama stands adjourned
sine die.

N. N. CLEMENTS,
Speaker of the House of Representatives.

Attest:

ELLIS PHELAN,
Clerk.

• APPENDIX.

[The following was omitted by the printer in "making up." It belongs in the proceedings of thirty-first day, and should have been inserted between 20th and 21st lines on page 321:]

REPORTS FROM STANDING COMMITTEES.

Resumed—

Mr. Jolly, from the Committee on Corporations, reported adversely to the bill—

H. R. No. 257. To amend section 7, chapter 11, of the Revenue Code;

Which was concurred in.

Also, from same committee, reported favorably to the Senate bill—

s. No. 215. To amend section 2, and section 16, of an act to incorporate the town of Livingston, in Sumter county, approved January 25, 1867, and to amend section 1 of an act to define the corporate limits of the town of Livingston, in Sumter county, approved February 24, 1872.

The bill was ordered to a third reading forthwith, read the third time and passed—Yeas 69, nays 1.

Yeas—Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harrington, Hobson, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Speake, Stevens, of Coffee, Stevens, of Dallas, Taylor, Titcomb, Ussery, Wall, Welch and White—69.

Nay—Mr. Johnston—1.

Also, from same committee, reported favorably to the bill—

H. R. No. 342. To authorize the purchasers of any railroad hereafter sold in the State of Alabama, under authority of any law, or under any proceedings, judicial or otherwise, authorized by law, to constitute themselves into a body politic and corporate.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 77, nays 0.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Dean, Denson, DeLemos, Dillon, Doster, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Hobson, Hubbard, Hudson, Jackson, Jolly, Jones, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Ramsey, Rice, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Stevens, of Dallas, Stephens, of Perry, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---77.

The bill was ordered to be sent forthwith to the Senate.

Also, from same committee, reported favorably to the bill---

H. R. No. 334. To amend section 17, of the charter of the city of Mobile, approved 2d February, 1866.

The bill was ordered to a third reading forthwith, read the third time and passed---Yeas 81, nays 1.

Yeas---Messrs. Speaker, Allen, Baker, Baxter, Beard, Beers, Betts, Bishop, Booker, Butler, Brodnax, Brown, Caldwell, Cockrell, Cunningham, of Lauderdale, Cunningham, of Monroe, Crews, Crump, Darden, Dean, Denman, Denson, DeLemos, Dillon, Doster, Espy, Fletcher, Forwood, Foshee, George, Gere, Gibson, Gilchrist, Gilmer, Goldthwaite, Gullett, Glenn, Glennon, Gray, Griffin, Grove, Hansburger, Harris, Harrington, Hobson, Hubbard, Hudson, Jackson, Jolly, Jones, Kelly, Kennedy, Kirkland, Manasco, of Walker, Manasco, of Winston, Mott, Muldon, McAdory, McDavid, McDonald, McDuffie, McFarlane, McKinstry, McMath, McWhorter, Robinson, Rodgers, Ross, Saunders, Smith, Snoddy, Speake, Stevens, of Coffee, Taylor, Titcomb, Townsend, Ussery, Wall, Weatherford, Welch and White---81.

Nay---Mr. Johnston---1.

BILLS AND JOINT RESOLUTIONS.

INTRODUCED INTO THE HOUSE AT SESSION 1876-7,

With number, abstract of title, and pages of reference.

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- No. 1. Mr. McKleroy. Requiring Secretary of State to furnish Code, &c.; 15.
 2. Mr. Griffin. To regulate trials by jury; 15, 35, 48.
 3. Mr. McKleroy. To repeal sub. 9 of section 7 of Revenue Code; 35, 39, 62, 245, 247, 265.
 4. Mr. McKleroy. To amend section 2900 of Revised Code; 35, 40, 49, 117, 136, 148.
 5. Mr. McKleroy. To amend section 4222 of Revised Code; 35, 40, 48, 117, 136, 148.
 6. Mr. Titcomb. To amend act fixing time of holding court in 11th judicial circuit; 35, 40, 82, 123, 135, 148.
 7. Mr. Cunningham, of Lauderdale. To amend section 1 chapter 2 of Revenue Code; 35, 39, 165, 170, 183.
 8. Mr. Kennedy. To amend section 3733 of Revised Code; 35, 40, 95.
 9. Mr. Muldon. For the preservation of game, &c; 35, 40, 304, 493, 503, 544, 573.
 10. Mr. McMath. To repeal sub. 8 section 1 chapter 2 of Revenue Code; 36, 39.
 11. Mr. Dillon. To amend section 4 chapter 3 of Revenue Code; 36, 39.
 12. Mr. Dillon. To exempt property of certain persons from taxation; 36, 40.
 13. Mr. Taylor. To repeal act to amend section 2704 of Revised Code; 36, 40, 72.
 14. Mr. Jackson. For relief of legal and medical professions: 36, 40, 73, 172, 177, 192.
 15. Mr. Crews. To require probate judges to itemize their accounts; 41, 46, 85, 160, 176.
 16. Mr. Crews. Joint resolution raising committee to visit penitentiary; 41, 67.

- No. 17. Mr. McKleroy. To repeal an act to amend section 1833 of Revised Code, and to revise said section ; 41, 44, 72.
18. Mr. McKleroy. To repeal the act to establish separate school districts, approved March 6, 1876; 41, 46, 181, 332, 334, 349.
19. Mr. Denson. To amend section 2562 of Revised Code ; 41, 45.
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